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THE ANALYSIS OF NOBILITY,

In its ORIGIN;

As MILITARY, MERCANTILE, and LITERARY; PROOFS, PRIVILEGES, DUTIES, ACQUISITION, and FORFEITURE thereof, interſperſed with ſeveral curious Monuments of Hiſtory, relating to *Laws* of *Chivalry*, *Creations*, *Degradations*, *Juſts*, *Tournaments*, *Combats*, &c.

Tranſlated from the Original *German* of

Baron *VON LOWHEN*.

With Notes collected from the beſt *Engliſh* Antiquarians, and other Authors.

——*Heroum laudes, & facta parentum,*
Jam legere et quæ ſit poteris cognoſcere virtus. Virg.

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BRITANNICVM

PREFACE.

THE author of the following piece is well known to the literary world, by ſeveral other compoſitions, particularly his *Soldier*, and his *one Religion*; the conſequences of which, though written pretty much in the ſame ſpirit, were very different; the former procuring him the eſteem and intimacy of many gentlemen of the army; whereas the latter drew upon him the ſpleen and rage of the whole body of the clergy. All his writings ſhew him to have viſited thoſe parts of

Europe, which are more particularly the reſidence of the muſes, and where he appears to have made ſuch a uſe of his travels, as it were to be wiſhed all travellers did, learning the languages of the ſeveral countries, attentively reading their beſt authors, and converſing with the perſons moſt diſtinguiſhed for ſcience and capacity, whoſe confidence a ſimilar genius eaſily introduced to him; of this, with regard to England, many inſtances will be ſeen in the following ſheets; indeed he never mentions England but with terms of approbation and praiſe, and is ſo kind as to take up the cud-

cudgels for us, againſt a conceited French writer charging us with dulneſs and ignorance. There is an unhappy ſaying, *rarement à courir le monde on devient homme de bien*; it was otherwiſe with our author; he returned from the moſt polite courts of Europe, not only with a mind enlarged by literary acquiſitions, but with a heart confirmed in uniform habits of virtue; beſides his irreproachable behaviour in the public ſtation to which he was nominated, he has imployed his talents, for the benefit of his country, in hiſtorical and moral compoſitions, which from the admirable vein of wit, ſolidity, and

learning, which runs through them, have gained him the congratulations of ſocieties from whoſe judgment there can be no appeal.

It is hoped that the many and long notes which the tranſlator has taken the liberty to add, as they moſtly relate to England, and are taken from authors of character, will not offend the reader, at leaſt one, the ſeverity of whoſe judgment is tempered by the love of his country.

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ER-

ERRATA.

P. 7, l. 1. for *Exemplo* read *Extemplo*.
P. 117, laſt line, for *pronimi* read *proximi*.
P. 173, l. 8. for *prælax* read *præluxi*.
P. 177, l. 27. *for* lieth *read* lie.
P. 180, laſt line, *after* *, *read* with a ſum.
P. 305, line 1. *for* cles, *read* 3 articles.

ANALYSIS OF NOBILITY.

CHAP. I.

Of the Origin of Nobility.

SECT. I.

Corruption of Mankind.

AFTER the fall of our first parents an universal depravation overspread the earth; and men, though intelligent beings, and created after the image of God himself, departed from an influential knowledge of him, and from that rectitude which is the result of it. "The "wickedness of man was great, every "imagination of his heart was evil,

Universal corruption of mankind.

" and all fleſh had corrupted its way. " Gen. vi. 5, 12.

Yet did a heavenly ſeed inſenſibly ſhoot up in them, and virtue continually maintained its ſacred pre-eminence: ſo tranſcendent, indeed, is its beauty that it commands admiration and complacency; there is a dignity in the practice of it, an amiableneſs in its innocence which nothing can extinguiſh; the moſt haughty man cannot forbear commending gentleneſs; the libertine owns there is a lovelineſs in purity; and the miſer, in liberality: the liar ſees the decorum of veracity, no leſs than the coward does of courage, or the deceiver of probity. Few are ſo far gone in vice, as not to applaud thoſe very virtues, to which their lives are a contradiction; and in this ſtrong impreſſion, conſiſts the goodneſs of the human mind. Thus is the beauty of virtue every where admired, and ſuch a value put upon its excellency that they who moſt diſtinguiſh themſelves by it are held in the higheſt reputation.

Virtue

Virtue, indeed, being the only means for amending the depravation and retrieving the happineſs of mankind, it cannot be too highly priſed, too ſedulouſly cultivated: the higheſt honours are its due, being of celeſtial origin. Virtue is a beam of divine light, an emanation of the divine eſſence; it ennobles the ſoul, it raiſes mankind to an affinity with heaven; and this is the incomparable nobility of all wiſe and good men.

Amended by virtue.

Accordingly, among the people of God, were great numbers of excellent perſons whom he was pleaſed eminently to endue with a ſingular wiſdom and virtue.

Wiſe and excellent men among the people of God.

Enoch led a divine life; and among the patriarchs, Abraham walked before God and was perfect: Joſeph alſo was a philoſopher in the fulleſt amplitude of that word, he knew the true God, partook of his extraordinary gifts, and at the ſame time, was thoroughly learned in all the Chaldean and Egyptian ſciences. Job was a moſt ſingular pattern for the conduct of life, "he was upright

" and perfect, fearing God and avoiding " evil. Job i. 1." The account of him abounds with the documents of divine wiſdom, and his behaviour exhibits a model of prudence, virtue, and devotion.

The world never ſaw a greater legiſlator than Moſes; he governed God's choſen people as his vice-gerent, and appointed them laws immediately dictated to him by God himſelf. Joſhua, Gideon, Jeptha and Samſon, were all eminent in the military and civil qualities of their important ſtations. David had all the intrepidity of a hero, and was alſo a man after God's own heart, Samuel i. 13, 14. The dignity which devolved to Solomon by his birth, received a luſtre from his ſublime diſpoſitions, and that wiſdom in which he ſurpaſſed all the kings of the earth. Of John the baptiſt, our Saviour himſelf bears teſtimony, " that among them " that are born of women, there hath not " riſen a greater;" but in Chriſt himſelf, appears an adorable union of the

divine and human nature, for the reſtoration of all things according to the purpoſes of the inſcrutable wiſdom of God. The Evangeliſts proclaim to men the kingdom of God and eternal life through faith in Chriſt, according to the merciful appointment of grace; the apoſtles being furniſhed with ſuitable gifts, travelled into the remoteſt countries, where, with the moſt noble magnanimity, they propagated, amidſt the ſevereſt trials, the ſame truths; the martyrs joyfully ſealing their faith with their blood, added to the church both ſaints and heros.

Virtue known to the heathens.

This idea of virtue is not only limitted to the people of God, but had alſo place in the breaſts of the wiſeſt men among the heathens; through the divine light of reaſon they ſaw the beauty of virtue, and were penetrated with a ſenſe of its excellence; the rudeſt nations are not ſo far ſtrangers to it, as not to acknowledge that the common ſecurity could not ſubſiſt without reciprocations of juſtice and benevolence, as may be

ſeen in the accounts which judicious travellers have given us of the manners and cuſtoms of the inhabitants of the fartheſt parts of the world; an inſtinctive ſentiment of the propriety and force of the law of nature ſhews itſelf in all places.

Compoſitum jus, faſque animi ſanctoſque receſſus,
Mentis & incoctum generoſo pectus honeſto.

A ſoul where laws both human, and divine,
By reflection nurtur'd in practice ſhine,
A nat'ral virtue of a vig'rous kind,
Pure in the laſt receſſes of the mind.

This is further confirmed by what St. Paul ſays of the heathen, "That they, "by nature, do the works of the law, "and are a law unto themſelves, Rom. "ii. 14." Upon the commiſſion of a crime a natural exagitation forces itſelf upon the mind, according to the Roman ſatiriſt.

Exemplo

Exemplo quodcunque malo committitur ipſi
Diſplicet auctori, prima eſt hæc ultio, quod ſe
Judice, nemo nocens abſolvitur.

He who commits a ſin ſhall quickly find,
The preſſing guilt lie heavy on his mind.
None quits himſelf; his own impartial thought,
Will clamour and conſcience revenge the fault.

Evaſiſſe putes, quos diri conſcia facti,
Mens habet attonitos, & ſurdo verbere cædit,
Occultum quatiente animo tortore flagellum?

And can you think that they eſcape, who feel
Thoſe rods of ſcorpions, and thoſe whips of ſteel,
Which conſcience ſhakes, when it their guilt controls,
And ſpreads amaſing terrors through their ſouls.

Tacitus likewiſe ſays of a tyrant, *Adeo facinora ipſi quoque in ſupplicium verterant.* "To ſuch a degree were his crimes be-
"come his puniſhment."

Theſe quotations ſhew the heathens not to have been without an inward and ſevere tribunal; ſo ſtrong are the impreſſes of conſcience that guilt is ever attended with dread and abjection; whereas the mind, conſcious of its own integrity, is chearful, open and confident. That the thinkers among the heathens had likewiſe proper ideas of the turpitude of vice, and the excellence of virtue, and even of a correſpondent futurity, is demonſtrable among others, from this admired paſſage in Plato's Theatetus.

" Men, whilſt on earth, will never
" be above the reach of evil, therefore
" the ſtreſs of our cares ſhould be to
" get out of the world with all expedi-
" tion: that is, wholly to lay out our-
" ſelves in reſembling God as near as
" poſſible. Now this divine likeneſs is
" wiſdom, juſtice and holineſs.---No in-
" juſtice is in God, and he will moſt re-
" ſemble the Deity who attains to the
" higheſt degree of righteouſneſs; here
" lies the true capacity and merit of a
" man.

" man. To know this experimentally " is true wiſdom and virtue.—We " ſhould urge it to the wicked, that, " if, whilſt living, they do not extirpate " their depravity, and form themſelves " to a divine reſemblance, they muſt, " in the nature of things, be excluded " from the pure manſions of felicity, " where no evil enters; as their man- " ners and deportment were in this ſtate, " ſo will their ſituation be in the other. " The ways of man are open to the " gods, and, as they are, ſo he ſtands " in the divine favour or deteſtation; " therefore when the good man labours " under diſeaſe or want, we muſt con- " clude that they will turn to his good " either in life or after death, it being " monſtrous profaneneſs to imagine " that he who uniformly endeavours to " imitate the Deity, will ever be for- " ſaken by him *." With-

* The following paſſage of Menander in Hirelius's collection, is too remarkable to be omitted. " If any one, O Pamphilus, thinks, by merely " offering a ſacrifice, to get into favour with " God, he has an unworthy opinion of him, and " will find himſelf miſtaken. He muſt become a " man

Of the commencement of political ſocieties.

Without a ſuperior reſolution and wiſdom of ſome men in bringing mankind into ſocieties agreeable to the law of nature, the world would have been a wilderneſs, and mankind little different from wild beaſts. The fear of being deſtroyed by other creatures, and fondneſs for life, together with an inclination to ſociety, firſt put them upon ſecuring themſelves againſt the aſſaults of the former, and providing for a peaceable enjoyment of the latter. With this view, ſeveral families united and formed one government, ſelecting the brave and robuſt to be their protectors againſt any invaſion, and thoſe of reputation for wiſdom and integrity, to act as judges for the deciſion of differences and the puniſhment of crimes: ſuch was the conſtitution of the firſt political ſocieties.

" man of virtue, beneficial to ſociety, muſt not
" poſſute virgins, nor commit adultery, nor ſteal;
" no conſideration muſt tempt him to murder; and
" the wife, houſe, horſe, youths and maids of ano-
" ther, he muſt not look at them to covet them.
" Sacrifice therefore to God with juſtice and be-
" nevolence; let your purity be in your heart ra-
" ther than your garments."

It

It appears from the moſt ancient monuments that all Aſia, Europe and Africa, were divided in this manner into certain ſtates and communities, every one living under their particular laws. The firſt legiſlators of theſe eſtabliſhments in Aſia were called Magi, *i. e.* wiſe men, their underſtanding and knowledge qualifying them to lay down ſuch plans of laws and obſervances for the people, as were moſt conducive to the public welfare; but theſe eſtabliſhments being endangered by the violence of rapacious or turbulent neighbours, ſelf-defence became neceſſary, and this introduced the uſe of arms, and gave ſuch a value to courage, that they who ſucceſsfully ſignalized themſelves againſt the enemy were called heros; all their overtures were deferred to, and their orders paſſed into a law: their perſons were revered, their magnanimity celebrated, and their names tranſmitted to poſterity on pillars erected in honour of them, with either a repreſentation or a narrative of their moſt remarkable atchievements.

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Inſtances from ancient hiſtory.

The firſt known political ſociety was founded in the land of Shinar, by Nimrod the ſon of Cuſh and grandſon to Ham, and from him deſcended ſeveral ſovereign princes. It is ſaid of him in ſcripture, "that he began to be a "mighty one in the earth, Gen. x. 8." Mizraim the ſecond ſon of Cuſh was the founder of the Egyptian monarchy, and upon ſuch an excellent model that no nation equalled them in morality. Moſes was God's agent in eſtabliſhing his ſyſtem among the Iſraelites, and divided them into twelve tribes, each of which had their particular marks or coats of arms. Among theſe, as alſo in Egypt, the prieſts were held in great veneration, being conſidered as vicars of the theocracy, declaring and explaining to them the will of God. Romulus and Numa, by their wiſe regulation of the polity, and the diſtinction of claſſes, brought the city of Rome into good order. Hercules, Amphion and Orpheus, for their exploits in defence of their reſpective communities, and

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the beneficial ſchemes they had ſet on foot, were deified. The Grecians received their firſt laws from Forroneus, as did the people of Athens from Theſeus, which were afterwards enlarged and digeſted by Draco and Solon. Lycurgus and Minos were the legiſlators of the iſland of Crete, as Philolaus was at Thebes, and Apollo in Arcadia. The Bactrians paid the ſtricteſt obedience to the inſtitutes of Zoroaſter, and Plato's laws were a ſtandard to the Magneſians. Plutarch's writings afford many illuſtrious examples of perſons whoſe ſtations and abilities enabled them to promote the welfare of mankind, and who accordingly took every meaſure for its advancement. As the memory of ſuch worthy perſons deſcends from age to age with unfading honor, ſo ſhould their actions be a continual incentive to imitate ſuch philanthropy. All the heathen Gods are, by thoſe who have made antiquity their ſtudy, ſhewn to have been in reality, perſonages who either

either performed or invented ſomething remarkably advantageous.

Origin of nobility. This indicates to us the proper origin of nobility; indeed, among all civilized nations, virtue has ever been honoured and praiſed preferably to other qualifications. Virtue was the only ſtamp of true worth, and the only title to juſt preference; and according to the degree of this worth and preference in which a man ſtood, he was accounted ſuperior to, and better than his fellow-citizens. The advantages of this excellence did not terminate in themſelves, but deſcended to their iſſue. They were treated with diſtinguiſhed reſpect, the popular favour and eſteem ſhewn to their parents and family became as it were their appenage *. To this alſo not a little contributed the riches which they inherited together with the reputation of their anceſtors.

* Nobilitatem eam tueor, eam orno, quæ virtus dicitur generis, quæ a majoribus veluti per gradus ad nos delata, & avos & proavos in memoriam revocat, ſays Plutarch.

Where

Where wealth is, there is a proportionate power, than a right uſe of which nothing gains a more ſolid regard, being the beſt proof both of a good mind and heart. Nor was this all, for in ſucceeding times, this nobility, the primary origin of which was virtue, came by ordinances of the ſtate to be inveſted with certain honours and privileges, which were alſo rendered hereditary; and theſe were the firſt diſtinctions of nobility. It is a diſtinction, which, without being born noble, can neither be aſſumed nor conferred. It is alſo a natural conſequence in the order of things; providence permitting the advancement of ſome families above others for preſerving the gradation of ranks, without which the general Economy would fall to pieces.

Deſcription of it.

From hence it clearly appears what nobility properly is, the Civilians term it, *jus perſonæ quod in ſtatu conſiſtit*, "a "perſonal privilege ariſing from rank;" for the rank of a perſon is diſtinct from his dignity; a diſtinction which muſt be

be carefully noticed, in order to have a true idea of nobility, the rank being hereditary but not the dignity or office, although ſome offices in the German Empire are ſo. King, Duke, Prince, Count* and the like, were formerly no more than offices and names of dignities, as Conſul, Senator, Prætor, and Governors, that theſe dignities came

* This appears from the Latin *Rex*, i. e. a ruler; whereas the word king, is derived from the Saxon Kennen to know, or Konnen to be able. Dux is likewiſe known to ſignify a leader, and the German word for that title, Hertzog, is verbatim, a leader of an army; whereas, now, Duke neither implies or denotes any ſuch thing. Few words are more deflected from their primary meaning than titles; thus a Lord or Lady are Saxon compounds, ſignifying Donors of bread. The word, in the original, for Count, is Grave, which firſt ſignified a Judge or Governor, as Burgh-grave, governor of a caſtle; Paltz-grave, of a palace; Land-grave, of a large diſtrict; Marck-grave, of the frontiers, or Lord-Marchers; an office anciently in England of great importance, defending the borders againſt the Scotch and Welch; the modern word for the laſt is Marquis, which has not the leaſt affinity with the office. From Grave are ſprung the Engliſh words, Reeve, Port-grave, i. e. the governor of a port; and this was the title of the chief magiſtrate of London before altered to that of Mayor.

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in ſome ſtate to be hereditary, was owing to force, favor, or ſome particular compacts. We read of *Dignitas regia*, *Dignitas ſenatoria*, the kingly dignity, the ſenatorial dignity. A dignity then imported no more than an office in a political ſociety, which was uſually filled by the moſt conſiderable perſons, ſuch as the Romans called *Patricii*, i. e. of ancient and honourable deſcent, or *cives optima lege*, being promoted to the higheſt poſts as the moſt valuable citizens. This is the diſtinction between rank and dignity*.

* *Alia eſt dignitas generis, alia officii. Felix Maleolus*, an old decretal profeſſor, the author of a ludicrous piece, *de nobilitate & ruſticitate*, mentions a writer whom he calls, *John the Engliſhman*, who makes a threefold diviſion of nobility; namely, into commendable, tolerable and culpable: the firſt, adds he, belongs to the church; the ſecond to the world; the third to hell. The firſt conſiſts of the happy; the ſecond of the liberal; the third of miſers and libertines. The firſt ſprings from holineſs; the ſecond from nature; and the third from diabolical inſtigations. Adam, he ſays, was poſſeſſed of the firſt, but by the unhappy power of the laſt, he brought miſery upon himſelf and poſterity.

Nobility limited by laws and ordinances.

The Romans were the firſt who eſtabliſhed their nobility by particular laws and ordinances. The chief heads of families, who were derived from their kings or heros, were ſtiled Patricii, from the word Pater; and among theſe Romulus ſelected one hundred to aſſiſt him as a council of ſtate. Tarquincus Priſcus added another hundred, ſtiled *Senatores minorum gentium*; and Brutus the conſul increaſed them to three hundred, with the title of *patres conſcripti*, and of theſe three orders conſiſted the celebrated ſenate of Rome. The primary Patricii took place of others who afterwards attained to this dignity; this was the ſtate of the conſtitution for a long time, till after ſeveral violent ſeditions the Plebeii or commonalty, obtained admiſſion into the ſenate, and obtruded themſelves into a ſhare of the legiſlative dignity and moſt honourable employments. Theſe plebeian ſenators ſoon loſt ſight of their native obſcurity, and raiſed themſelves to be, in every reſpect, upon a level with the nobility. The *jus imaginum*, the characteriſtical

racteriſtical mark of the nobility, was allowed to their iſſue; theſe Imagines were buſtos of wax, which uſed to be placed in antichambers, and to be carried in proceſſion at funerals. Yet were theſe upſtart legiſlators ſo far diſtinguiſhed from the ancient Patricii, as to be called only the *ordo equeſtris*; and in this claſs none were admitted without proving himſelf worth four hundred thouſand ſeſterces, about two thouſand five hundred pounds ſterling, that they might be able to ſupport their honour and diſtinguiſh themſelves from the vulgar, by an elegant manner of living: however the *ordo equeſtris* does not properly come within the *nobiles* *, but are rather to be looked upon as the chief plebeian claſs. On which account, they only who

* *Nobilis*, deriving from *novi*, at firſt ſignified known, as *iis minimuum nobilis fui*; Plaut. or noted as *nobile ſcortum*; Liv. *Vitiis nobilis*; Cic. But, what is better worth obſerving, the word *noble* is of a narrower import in England than in other countries; belonging to none but perſons above the degree of knights; whereas abroad it comprehends not only knights but gentlemen.

were remarkable for wealth, or at leaſt poſſeſſed of the abovementioned ſum, clear of all incumbrances, had the *jus aureorum annulorum* *, or the privilege of wearing gold rings, which was ſo far a mark of nobility, that it was not permitted to the common people; but although theſe knights were originally ſubordinate to the Patricii and real nobles, yet by means of the high employments they enjoyed in common with the nobility, they roſe to ſuch a height that it was not looked upon as any diſgrace, even to the Auguſtan family, that it was of equeſtrian origin, as is manifeſt from Livy, Salluſt, Tacitus, Velleius Paterculus, and other Roman hiſtorians.

* Gold rings at firſt were allowed only to ſenators who had born ſome ſplendid office. The people wore ſilver rings, and the ſlaves iron ones, but luxury increaſing, gold rings were common, even to ſoldiers. It was a cuſtom anciently, eſpecially in France, to uſe only a ruſh ring at the ceremony of marriage, when there had been too intimate an acquaintance before.

The

Of the riſe of nobility in other European countries.

The cuſtoms and laws of Rome being adopted by moſt European nations, nobility, or a diſtinction of claſſes, came alſo to be received among them. Their military force conſiſted moſtly of horſe, in order the better to attend the motions of the enemy, prevent their deſigns, and purſue them into their own frontiers. Theſe knights * or horſemen were accounted the flower of their armies; inſomuch that a gallant behaviour in battle, or to behave like a knight, were ſynonimous. This gave riſe to knights-fees † or fiefs, which

* The German word is Ridder, from Reitten to ride, and anſwers exactly to Eques in Latin, Chevalier in French, Cavallero in Spaniſh; and among our Saxon anceſtors the word was Radcnightes, which at firſt implied no more than troopers; Rüitery to this day alſo ſignifies the cavalry; as Knecht does a ſoldier or ſervant. Some foreign countries ſwarm with knights, eſpecially in their armies. Charles V. of Germany made five hundred in one day. A roman Eques muſt likewiſe have been no extraordinary perſonage, for Hanibal to ſend home two Modii, *i. e.* three pecks, full of their gold rings, as he did after his victory at Cannæ.

† Fiefs in England owe their commencement from the emperor Severus; who having built a wall in the north of England, to prevent the incurſions

which were lands granted to a knight by way of recompence for ſignal ſervices, but with this obligation, that upon a war they ſhould make their appearance, with their vaſſals on horſeback, to attend on their ſovereign or his general. Theſe alſo, according to their different degree, were termed *nobiles*, *milites* & *famuli*, by the latter were underſtood dependants, officers and ſquires; the laſt of whom carried the knight's ſhield and helmet; as in Virgil, Automedon is called Achilles's Armiger. Saul and Jonathan were attended by armour-bearers, and Joab, in the battle againſt Abſalon, had no leſs than ten. They were alſo, *homines liberi*, that is free-men exempt from all ſubſidies, taxes, ſoccage and the like; and therefore diſtinguiſhed by the name of Francs: which word implies a free

of the Picts, diſtributed the lands he had conquered among officers and ſoldiers of ſignal bravery, who are called *limitarios duces & milites*, with this clauſe, that their heirs ſhould continue in the ſervice, and the lands never deſcend to private perſons, *i. e.* to ſuch as did not bear arms.

people

people above any marks of ſervitude. In * Germany the deſcendants of theſe knights and nobles were, in the Roman times, inveſted with many conſiderable privileges in the courts of their ſovereigns, where they were called, *pares curiæ*, *majores domus*, as they were Duces and Comites in the provinces which they governed. When afterwards large cities came to be built, the government of them was likewiſe committed to the martial nobility, who hereupon aſſumed the Roman ſtile of patricians, and introduced an imitation of the order of ſenators.

But times gradually taking a happy turn towards tranquility and commerce, and the European nations becoming civilized, military men were not the only ſervants of whom princes ſtood in need:

* The moſt probable etymon of the word German, is from the river Gera, in lower Saxony, and ſignifies a man living near, or on the river Gera; Some I know would fain derive it from Gar, wholly, as ſignifying a man of extraordinary courage and ſtrength, or at leaſt from Heerman, a warrior.

but laws and ordinances being requiſite to keep both public and private affairs in a right poſture, men of learning and judgment, and eſpecially civilians, were encouraged and made miniſters of ſtate; and, in imitation of the Roman ſenators, wore long robes, from whence they were called, *milites togati & purpurati*, and were held in great honour; the public receiving no leſs advantage from their wiſdom than from the courage of the knights; and to add a weight to their office, they were generally filled by perſons of noble and irreproachable families. But the nobility anciently being bigotted to the ſword, perſons of extraordinary abilities were advanced to theſe employments without regard to birth, but by virtue of them were accounted noble: yet their deſcendants, however, upon putting in their claim to nobility were obliged to prove their deſcent noble for four generations, on the father and mother's ſide, and likewiſe not to concern themſelves in any trade or taffic, to avoid all mean connections, or ſcandalous company,

company, and to behave with the greateſt decorum and honour. This was the introduction and eſtabliſhment of nobility in Europe after the Roman times, and none were allowed to enter the liſts at tournaments except thoſe of noble deſcent, which they were to make good by bringing the banners and ſhields of their four neareſt male anceſtors. Of theſe juſts it was not ſaid amiſs by a Turkiſh envoy, 'that they were too rough if 'only for ſport, and, if in earneſt, boys 'play.' Another, and much more ſubſtantial privilege of nobility, eſpecially in Germany, is, that the moſt conſiderable eccleſiaſtical offices are conferred on them preferably to others, which inhances the external dignity of religion.

Of ancient Germany.

Germany was anciently divided into ſeveral parts according to the different nations which inhabited it, of which the moſt famous were the Friſones, the Bructeri, Sicambri, Catti, Suavi, Cheruſci, Cimbri, Marcommani, Hermanduri, *&c.* To whom may be added the Lombards, Vandals, Batavians; they alſo

alſo having ſeated themſelves in this country, and theſe provinces were parcelled out into ſeveral diſtrichs. In thoſe times the towns and villages were of extreme length, every houſe being ſurrounded with the land belonging to it, and conſequently ſtanding at a great diſtance from each other; all theſe nations had their kings and ſovereigns, but with a limitted power; they were no more than their chief magiſtrate in peace, and their captain-general in war. Such was Arioviſtus, whom Julius Cæſar overcome; and Druſus, at the head of a Roman army, penetrated to the Elbe. Arminius alſo at firſt was totally routed, but afterwards the Germans proved ſuch a reſolute enemy to the Romans, that under the following emperors they had not much to boaſt off. The higheſt in reputation were the intrepid Francs, who from the immunities conferred on them for their military ſervices, were diſtinguiſhed by the appellation of *nobiles liberi*. They had before been known by the name of Cimbri, as among others, Gregory de Tours has

has alſo obſerved, from the word Kummern, *i. e.* to moleſt, *eo quod vicinis tremori & horrori fuerint*, ſtriking a terror into all the neighbouring nations. The ſame praiſe likewiſe belongs to the Suavi and Rhenenſes, whom Julius Cæſar looked upon to be the moſt warlike and daring nation, being always poſted in the front, and beginning the action: their extraordinary courage and ſkill in war was the natural reſult of their continual battles with the Romans, the Gauls, the Saxons and Hunns; from theſe are ſprung the real German nobility; not that I in the leaſt deny the intermixture of a great many Roman families, the whole country along the Rhine having been in the poſſeſſion of Roman colonies.

Whilſt the Germans, with various fortune, continued their ſtruggles againſt the Roman arms, the Goths, Lombards, Vandals, Burgundians and other nations, joining the Germans, drove the Romans before them, and in a body fell upon Italy; the conſequence of which was, that

that in the fifth century, Germany was not only freed from any ſubjection to the Romans, but the Roman empire itſelf came under the German, in the perſon of Otho the great; and what is ſtill more remarkable, all the preſent thrones in Europe are filled with princes deſcended from German nobility.

Greatneſs of the German dukes and counts.

The firſt German emperors, eſpecially the Carlovingians or the deſcendants of Charlemaign, were abſolute, and maintained the crown hereditary, but upon the extinction of that houſe, emperors were choſe from the Saxon, Suabian, the Franc and other families. The dukes and counts governed the ſeveral provinces in the name of the king and emperor of the Francs, and had generally a conſiderable command in war; the dukes marching in the van, as it were leading on the armies, whilſt the counts, or Comites, whoſe name is derived from Comitari, acted in the army as judges and magiſtrates. But afterwards, the emperors, ſtanding in need of

of the aſſiſtance of theſe powerful officers, they took advantage of their ſovereign's embaraſſments, and by degrees procured themſelves to be made hereditary lords of thoſe countries of which they had been only governors during pleaſure, and got them erected into dutchies and counties. Theſe lords were generally of the principal nobility, or allied to the imperial family; but as the emperor was bound not to alienate any of the provinces of Germany, theſe dutchies and counties were beſtowed only as fiefs; and upon the death of a poſſeſſor, the heir was obliged to have the gift renewed by the emperor, and to do homage for the tenure.

By theſe means the imperial governors, beſides the ſplendid titles of counts, dukes and princes, got a vaſt power into their hands, and to which, in ſucceeding times ſuch accretions have been made, that at preſent, ſome are not inferior even to the family which wears the imperial crown.

Some

Some families among the meſne, or middle nobility, having by frugality, marriage, inheritances, and other means of acquiſition, arrived to great wealth and power, which naturally procured them admiſſion into poſts of honour, they matched themſelves into families of princes and counts, and upon the extinction of the direct line, got themſelves inveſted with the counties and principalities to which they were allied. Beſides Germany, France and Italy were alſo filled with counts, who all aſſumed to themſelves the ceremonial and prerogatives of majeſty, had their vaſſals, knights and nobility, and rendered their dominions hereditary.

Of the ſeven claſſes of the German nobility.

According to the Saxon and Suabian Mirrors, the nobility of Germany were anciently divided into ſeven claſſes, or coats of arms. The firſt pertained to kings and emperors; the ſecond to eccleſiaſtical princes; the third to the lay-princes; the fourth to the free-herrn, free lords, or lords-paramount, exempt

exempt from ſerving and poſſeſſing capital juriſdiction; the fifth order was that of the meſne-free, or Milites, by whom are to be underſtood the landed nobility, whoſe tenure was in capite, or the ſovereign's immediate vaſſals; the ſixth were the miniſterials, or dependants or eſquires; of the ſeventh the fief-law ſays, it was not known whether they were poſſeſſed of fiefs, which intimates a degree of nobility without fiefs: and, on the other hand, fiefs did not convey an indiſputable title to nobility, *nam ſi ruſticus emat feudum nobile, non ideo ſit nobilis.*

CHAP. II.

Of the ſeveral kinds of nobility.

Of the ſeveral kinds of nobility.

THE moſt proper diviſion of nobility, is into high, middle and low, but for the clearer underſtanding of nobility in general, and its ſeveral kinds, theſe claſſes admit of ſubdiviſions.

ſions. The high nobility is limited to princes and nobles who are ſovereigns; the middle, comprehends the immediate free nobility; and the low is compoſed of the landed, who are under tenures, and of the city-nobility.

Of the high nobility.

The families of princes and of ſovereign counts are far ſuperior to families whoſe honour and prerogatives are of a later date: the latter though ranked among the high nobility, are not to be brought into any competition with them; and if we place the ancient families of counts in the ſame rank with thoſe of princes, it will not be thought ſtrange, by any one who is verſed in hiſtory, as not only the far greateſt part of our modern princes are deſcended from the ancient counts, but likewiſe, till within theſe three laſt centuries, there was no eſſential difference either in power or rank, betwixt a prince * and a count. The counts of Holland

* The German word is Furſt, which exactly agrees with the Latin word, Princeps, a compound of *primus and caput*, and is properly a word of dignity

Holland, of Bretagne and Flanders, were a match for any princes: not to mention the ſtrength of ſeveral Palſgraves, Landgraves and Margraves of Germany.

Among the ancient families of ſovereign princes and counts, thoſe of Auſtria and Bourbon are confeſſedly the moſt eminent, and next to theſe are Lorrain, Holſtein, Brandeburgh, Saxony, the Palatinate, Brunſwick, Savoy, Heſſe, Mecklenburgh, Wirtemburgh, Anhalt, Baden, Naſſau and Modena; and branches of theſe at preſent ſet on every throne in Europe *. The other princely and noble

nity and office not of property or ſovereignty, as in the charter of king Edgar, *Ego Edgarus Rex rogatus ab epiſcopo meo Deorus Wolfe, &* principe *meo Aldredo, &c.* and in Mat. Paris, p. 155. *Ego Halden* princeps *Regis pro viribus aſſenſum præbeo,* &c. Before king Edward the firſt created his ſon prince of Wales, the eldeſt ſon of England was called lord prince, though whilſt Normandy was connected with England, he was always called duke of Normandy, and ſince the union, his proper title is *Magnæ Britanniæ princeps.* The moment a pope is elected, all his relations, by conſanguinity, become princes.

* Mr. Von Beſſer, in his diſcourſe on the precedency and dignity of the houſe of Wirtemburgh, has this remarkable obſervation, "That all the "nations in Europe have choſen their kings from

noble houſes, though of the ſame dignity and rank, are far ſhort in power and extent. Emperors, kings and * electors, having

" the nobility of Germany. Auſtria was in poſſeſ-
" ſion of the Spaniſh throne, and now it is filled
" by the houſe of Bourbon; thoſe of Naples and
" Sicily belonging alſo to the ſame branch: and
" the houſe of Bourbon, which has for ſome ages
" been at the head of the powerful kingdom of
" France, is by the French themſelves allowed to
" be iſſued from a noble family of Saxony. The
" kingdoms of Great-Britain and Ireland ſecured
" their religion and liberty by advancing to their
" throne a prince of the houſe of Naſſau. Denmark
" and Norway likewiſe, by a free election, con-
" ferred the ſovereignty on a count of Olden-
" burgh. A prince of the Holſtein family now
" fills the throne of Sweden. The crown of Po-
" land is on the head of the elector of Saxony;
" and two hundred years are paſſed, ſince Hun-
" gary and Bohemia have belonged to the houſe of
" Auſtria. Remarkable as theſe things are, it is
" ſtill more ſo, that the majeſty of the Roman
" empire has ſubſiſted above a thouſand years in
" the German nobility; a duration of which hiſ-
" tory does not afford a parallel inſtance in any
" empire or government. To this we muſt add,
" that the preſumptive heir of the vaſt empire
" of Ruſſia, is a German of the houſe of Holſtein.
" Theſe are prerogatives and diſtinctions which
" intitle the German nobility to a precedency and
" a regard, from the nobility of other nations:
" May their valour and morals perpetually add
" to ſuch pre-eminence!"

* The electoral college was inſtituted in the xth century by pope Gregory V. and the emperor Otho

having ſprung from the former, and the titles ſtill remaining in the poſſeſſion of ſome;

Otho III. others attribute it to Ralph, count of Habſpurg, founder of the houſe of Auſtria in 1280. The golden-bull * fixed the number of Electors to ſeven, but they have been increaſed to nine: their titles and functions are as follow: The elector of Mentz is chancellor of Germany; convokes the ſtates and gives his vote before any of the reſt. The elector of Cologne is grand chancellor of Italy, and conſecrates the Emperor. The elector of Treves, is grand chancellor of the Gauls, and confers the impoſition of hands on the emperor. The count-palatine of the Rhine, is grand maſter of the imperial palace, and preſents the emperor with a globe at his coronation. The marquis of Brandenburgh, is grand chamberlain, and puts the ring on the emperor's finger. The duke of Saxony, now king of Poland, is grand marſhal, and gives the ſword to the emperor. The king of Bohemia, who was anciently only duke, is grand butler, and puts Charlemain's crown on the emperor's head. Laſtly, the elector of Hanover, now king of Great Britain, is arch-treaſurer; though firſt erected under the title of ſtandard-bearer of the empire.

* *The golden-bull is an ordinance made by the emperor Charles 4th in* 1356, *and approved by all the princes of the empire, for regulating the election of the emperor, and the functions, privileges and pre-eminences of the electors; it is written in Latin on vellum, and contains twenty-four ſheets, and thirty chapters, and kept at Francfort. The bull from which it derives its name, is a large round ſeal of pure gold, faſtened to it with red and yellow ſilken ſtrings. On one ſide of this ſeal is the Emperor Charles 4th, ſeated on a throne with*

ſome; yet other families although neither princely nor noble, conſequently inferior in point of rank, may rival them in antiquity and real excellence. It is in nobility as in a pearl-necklace, where the ſmall pearls are cloſely intermixed with larger, ſo likewiſe the nobility are ſo connected together, that amidſt all the difference of power and rank, the diſtinguiſhing point in their ſeveral gradations is not eaſily indicated. With the ancient princely families, are intermixed the modern; with theſe, the old noble families, with whom the new contract alliances, and often one branch bears the title of count, another of Free, if not even of the common nobility; thus, and

all his inſignia, with this inſcription, Carolus quartus, divinâ favente Clementiâ, Romanorum Imperator, ſemper Auguſtus, & Bohemiæ Rex. *On the other ſide, is a caſtle underneath the gate, of which are theſe words,* Aurea Roma, *the legend being* Roma caput mundi, regit orbis frœna rotundi. *The golden-bull is held in ſuch a kind of ſacredneſs, that the archbiſhop of Mentz having moved for new ſtrings to be put on, the old ones being too much worn, it was warmly oppoſed, and, after ſome time, when conſented to, deputies from each elector and other princes, were preſent at the alteration.*

not

not uncommonly, are noble families linked together. But the origin of the ancient genuin and true nobility is alike in all, and whatever diſparity there may at preſent be in power and opulence, that is no reaſon that the lower nobility, if of as ancient a date, and as noble in its ſource as others of greater power and higher rank, are to be accounted inferior; nor is it at all a diſgrace, if even a prince ſhould marry the daughter of a family, which beſides its antiquity, is qualified to be enobled, there being few ancient free families whoſe affinities will not frequently occur in the geneological tables of princes and counts.

Of the middle nobility.

I now come to the meſne, or middle nobility, which conſiſts of counts, and the immediately free lords. Theſe *liberi domini*, are independent of any princes, but are real members of the national ſtates; and as ſuch enjoy all the rights, privileges and immunities of princes and * counts; only their revenues are not ſo

* I inſert here a patent of honour from the emperor Charles 4th, anno 1366, to John count of

ſo large or their vaſſals ſo numerous. Although among this nobility are ſeveral very conſiderable families, poſſeſſed of towns and villages, with all the prerogatives and juriſdictions of the higher nobility, and the civilians, might have ſpared themſelves thoſe voluminous diſputes on the preeminency betwixt counts and the immediate free lords. To the meſne nobility likewiſe belong all titular princes and counts who hold lands by tenure under others: ſuch are all landed nobility, who, though inveſted with privileges above the other inhabitants, owe ſervice to the prince. But a nobleman, though count, or even

Naſſau, that the reader may compare it with thoſe of our Princes.

Johannem Comit. Naſſov. cariſſimum conſanguineum noſtrum, & heredes tuos legitimos in perpetuum, dei invocato nomine, illuſtramus, honoramus, libertamus, exaltamus, & illuſtres principes comites creamus, ordinamus facimus, ut videlicet principes comites exiſtatis, & in collegio principum, que vulgari theutonico *Gefurſtete Grafen* dicunher, computemini, nec non omnibus & ſingulis privilegiis, honoribus, libertatibus, exemptionibus, gratiis, & indultibus gaudeatis expreſſe, quibus illuſtres principes comites ſacri imperii fruiti ſunt hactenus, &c.

prince,

prince, if under the jurisdiction of another, is not to be upon a level with the high nobility who are absolutely independent. On the contrary, we must also here notice, that it is not every possessor of a fief who is to be ranked among the middle nobility as an upstart, a *novus homo*, as the Romans called such, who has made his way to wealth through thick and thin, purchases an estate which may make him a free lord, yet does not that intitle him to those privileges, honours and immunities which belong to the ancient families who inherit their rank of immediate free lords and their large estates, through a series of brave and virtuous ancestors.

Of the low nobility.

However the purchaser, if of noble birth, or qualified to be noble, belongs to the low nobility, included under the fifth or sixth coat of arms; but such great officers who are of the family of counts, or immediate free lords, are ranked among the middle class of nobility. As formerly the counts of Habspurg, and of Hirchburg,

were retainers of the Abbot of St. Gaul: likewiſe in the imperial hereditary dominions, and in Sileſia and Saxony, are ſeveral families who hold their lands by tenures, and yet are ſo far inveſted with all the immunities and privileges of the immediate free lords, that in defence of them, they have often, without any aſſiſtance, maintained a vigorous war with princes and cities. And however they may be often crampt in their rights and immunities by thoſe princes in whoſe territories their land happened to lie, yet are they to be reckoned among the high or meſne nobility.

Of the ancient city and patrician nobility.

In the third claſs are juſtly reckoned the ancient city-nobility; as indeed I ſee no reaſon why they ſhould be held in leſs account than the country-nobility; the emperors in former times generally committing to perſons of quality the government of large places; in the ancient records of which, the names of very honourable families are ſtill to be ſeen, and though many of them are extinct, ſome have betaken themſelves to court, and

others

others retired to their eſtates; yet, in not a few places, there are families, who, for a long time, have filled the moſt conſiderable poſts of thoſe cities, and have beyond exception proved their deſcent untainted. There was alſo a remarkable difference obſerved between the *honoratiores* and the *cives honorati*. Some hiſtorians call them *cives potentes*, and particularly relate, that in the time of Charlemaign, the chief offices of the *villæ regiæ*, as Francfort, &c. were in the hands of the nobility. Henry the faulconer, who reigned about the year 919, for the ſecurity of the cities againſt the irruptions of the Hungarians, diſtributed to every ninth man of the land-knighthood, *ex agrariis militibus*, together with the *miniſteriales*, as they were called, among thoſe places which were moſt expoſed; where this kind of nobility lived upon their incomes without any trade or commercial buſineſs. In Brabant and Guelderland, all below nobility are excluded from the chief employments. At Cambray and Valenciennes, the moſt conſiderable

derable burghers are glad to match themſelves among the nobility; but it is a great miſtake to imagine that burgherſhip and nobility are incompatible. The true meaning of the word burgher being no more than a member of political ſociety, exiſting within a walled place, the name of ſuch a place being a burgh. Now ſuch burghers living above any mechanical buſineſs or trade, have as valid a claim to nobility as the landed. In a general ſenſe, all the inhabitants of a ſtate, from the prince himſelf to the peaſant, are burghers or *cives*; and the term *bonus cives*, or a good burgher, implies a ſenſible honeſt man, living in obedience to the laws, uniform in ſocial duties, and zealous for the public proſperity, than which there cannot be a more valuable character. A Roman burgher of note, in the republican times, would have diſdained to beſtow his daughter to an eaſtern monarch. And this day, *civis romanus* carries with it ſuch a ſublime idea, that princes inſert it among their titles; a *nobile di Venezia*, thinks

thinks himſelf upon a footing with a prince, though, in the exigencies of the ſtate, nobility is ſet to ſale, and to glory in a purchaſed title ſavours of an ignoble ſpirit; many of theſe nobles, indeed, are of a moſt ancient extraction, deſcended from princes and counts; yet what are they but Patricii, and theſe but the principal burghers. In Germany, I know, the current idea of this word carries with it ſomething mean and contemptible; ſuch a one is a burgher, as if nothing of nobility belonged to him; but this is an abuſive way of ſpeaking, a burgher living upon his means being indiſputably no leſs noble than the landed. There is not a large city which does not abound with inſtances of it, are we not all bound by burgh-laws? the noble families who are ſelected to the principal offices in large cities, do they forfeit their nobility by becoming burghers? is it never ſeen that a landed-nobleman, after having the good fortune to repair his ſhattered ſituation, by marrying a rich burgher's daughter, is not a little glad

to

to be preſented with the freedom of the burgh, therefore let it be candidly acknowledged that the city, *cæteris paribus*, are equal to the land-nobility, when living in a manner becoming their opulency.

Of literary nobility.

Such was the regard anciently paid to knowledge and capacity; that doctors of laws, if of a correſpondent behaviour, were accounted as noble, and this they prove from their ſitting as judges in the imperial courts, from their admiſſion to thoſe poſts of which nobles only were capable; adding, that they were ſtiled *literata militia*; and that the moſt exalted character was *nobilis marte & arte, literis & armis*; that Conſtantine the great iſſued a formal decree exempting profeſſors of laws, together with their wives and children, from all taxes, and burdenſom offices; *omnes doctores ſunt nobiles*, was a poſition never controverted. In China, it is learning only which promotes to honors; all candidates for offices undergoe a ſtrict examination, when, (without any regard to birth, and

no

no intereſt muſt be made) the beſt qualified carries it; and if he deſigns to put in for higher poſts, he muſt proſecute his ſtudies through all the branches of their literature. Laſtly, Tully carries this point ſo far as to ſay, *cedant arma togæ*. Times are altered, profeſſors *qua tales*, are not held to be noble, though as *perſonæ honoratiores & privilegiatæ*, they enjoy ſome exemptions. As for the high-ſounding appellation of *nobiliſſimus* commonly given them, that is an empty title, a mockery of honour, which our times are ſo exceſſively laviſh of, that every ſtudent at taking his degrees, though his father handles the awl, the ſheers, the ſhuttle or the plough, is ſure to be complimented with it; and, out of the ſeminaries of learning, what is more common than high-born, nobly-born? We laugh at the Italian, who addreſſes a letter to a fencing-maſter; *Al molto illuſtre & excellentiſſimo ſignor, ſignor maeſtro virtuoſo di ſcherma*; and to a butcher, *all' illuſtre ſignor mio, il ſignor marcellaro*; we laugh at this extravagancy, ourſelves no leſs extravagant.

Doctor

Cauſes of the contempt of literary nobility.

Doctor was a title of which the moſt diſtinguiſhed nobility was not aſhamed. The books of heraldry afford long liſts of eminent perſonages, among whoſe titles ſtands that of doctor; whereas the very loweſt of our modern nobility, would look upon it as diſgraceful; indeed the lords of England accept of it as a compliment from the univerſities. Yet doctors ſeem intitled to equal regard with the nobility, as they arrive to that rank by degrees, and have further on their ſide, *preſumptionem meritorum*. Whereas hereditary nobility may devolve upon a ſordid creature. One cauſe of the declenſion of doctorial nobility, is the execrable abuſe of the law by its crafty profeſſors: here I would except the doctors of phyſic, for theſe, allowing that many fall victims to their ignorance, yet are not ſo detrimental to the public as our incendiary-juriſts, death putting an end to all diſpute, conſequently, they cut ſhort an evil which the latter are very ſtudious to protract; as for the doctors in divinity who have

publiſhed

publiſhed many laboured pieces on their claim to nobility, and repreſented the failure of reſpect to them as the ſureſt mark of an infidel and abandoned age, I ſhall be very reſerved in any animadverſions on them, leſt they enjoin their hearers to treat me as a heretic, and miſrepreſent my freedom with them as impiety towards God.

Ridicule is often too prevalent, and the civilian doctors have ſeverely ſuffered by the pantaloons, and Signori Dottori of the Italian theatre, and as little were the phyſicians obliged to Moliere for his *malade imaginaire*; but here, the phyſicians had alſo their turn to laugh; the ſatyriſt being ſtruck with death as he was acting the ſick man in that play, which occaſioned the following epitaph on him.

Roſcius hic ſitus eſt, triſti Molierus in urna,
Cui genus humanum ludere ludus erat,
Dum ludit mortem, mors indignata jocantem
Corripit ac mimum fingere ſæva negat.

Here

Here Moliere lies, the Roſcius of his age,
Whoſe pleaſure, while he liv'd, was to engage,
With human nature, in a comic ſtrife,
And perſonate its follies to the life.
But ſullen death, offended at his play,
Would not be jok'd with in ſo free a way;
He, when he mimick'd him, his voice reſtrain'd,
And made him be in earneſt what he feign'd.

To explode an opinion, or to depreciate a ſet of men, there is nothing like bringing it on the ſtage. Though thus fallen into diſrepute at court and among the beau-monde, the juris-conſults retain all their former honour in the imperial cities, but here they decorate themſelves with the title of counſellor to ſuch a prince or count, and if ever they attain to real nobility, they immediately ſeem to forget they were ever doctors, the D in their ſignature would caſt a ſhade upon all their other ſplendid titles. Another cauſe of this declenſion, is the birth of the

the bulk of doctors offices are eſtimated by the perſons who uſually fill them, the military has no rational ſuperiority to others, but 'tis what the nobility betake themſelves to.

Of half nobility.

Every thing in this world has its alloy, and nobility is not exempt from it; we have taken notice of a high, a meſne, and low nobility. However the two firſt may have maintained their luſtre; next to the loweſt of the laſt, and not ſeldom intermixed with it, there is ſtill an inferior, adulterated nobility, ſuch as may, without any injuſtice, be called the chaff and refuſe of nobility. The number of weak people valuing themſelves on a purchaſed, or an imaginary nobility, is every where too great, but this vanity more particularly prevails in Lower Saxony, Weſtphalia, Holland, &c. It is ſcarce to be imagined with what extravagant ideas theſe people are intoxicated upon emerging to any degree of wealth or figure, without any other proof of their antiquity or noble deſcent, than their good fortune at court, in the camp,

or in trade; yet, by means of a reaſonable conſideration, ſhall find ſome imaginative genealogiſt, who, with many glorious particulars, ſhall trace their extraction up to Shem or Japhet. Their vanity exceeding that of one Prada in Spain, who being grown immenſely rich as a farmer of the revenue, and meeting with Don Andreas dePrada, a nobleman, but with a very narrow fortune, frankly aſked him if he was in poſſeſſion of the heraldry of his family; Don Andreas ſaid he was; then, ſaid he, truſt me with it, I'll put it into the hands of an able genealogiſt, who ſhall make us couſens in ſpite of our grandfathers; and, for this good turn, I'll give you thirty thouſand piſtoles. It was done. But I cannot paſs over a pleaſant repartee of the younger brother, a captain, who had not got a ſhilling by the bargain; dining at a public entertainment, where the wealthy ſignior Prada being brought upon the carpet, a lady ſaid to the captain, I think you are the farmer's relation, no, madam, anſwered he ſmiling, It is only my brother.

But

But to return to the heteroclite, or demi nobility; their poſts are ſometimes too conſiderable, that they ſhould not to be diſtinguiſhed from the commonalty, and yet their birth too mean to be ranked among the nobility. Sometimes one of theſe is not leſs noble than the emperor himſelf, but his purſe no heavier than that of a day-labourer: ſometimes he is ſtiled noble, having actually a family-patent of nobility, yet at the ſame time, a petty tradeſman; ſometimes he's both a true French marquis, and at the ſame time a ſtarving maſter of languages, ſometimes he is born a free lord, and to mend the breed, marries his maid, whoſe portion is upon a level with himſelf. Theſe intermixtures produce a kind of hermaphrodites in nobility, the nature of their condition is bifarious; as, for being rich and fortunate, they are not to be ſtiled noble, ſo neither is calamity or want, a forfeiture of nobility; the former cannot be well treated as noble, nor the latter entirely as plebeians; this is a ſtate extremely inconvenient, they are

ſeldom in an equilibre, either honoured to exceſs, or treated too familiarly; if neceſſity ſubject them to receive orders, their birth on the other hand, intitles them to reſpect. How many French young ladies who fled their country for their religion, now ſerve as *Demoiſelles* in citizens houſes? and Gentlemen neceſſitated to turn French maſters? yet to treat the one as ladies, and the other as cavaliers would not do. Their nobility however, under all diſadvantages, eſpecially the cauſe of them being ſo noble, remains in their blood. Nobility being an indelible character, unleſs in the caſe of a juridical degradation.

Of modern honourable Families.

There are likewiſe many families, who by their economy in lucrative employments, or fortunate contingencies, have ſpeedily riſen to attract the public eye, and who live in a manner entirely becoming nobility, yet without being ennobled. Others are deſcended from counſellors, placemen, magiſtrates and merchants, living upon their means, and according to the modern appella-

tion,

tion, called honourable, yet to rank them among the nobility would be an impropriety, they not being of noble extraction, nor ſolliciting to be ennobled; and to place them among the commonality would be an inſult to that wealth and independency of which they make ſuch a noble uſe; a uſe which will induce all noblemen of ſenſe familiarly to aſſociate with them, and under other treatment their own good ſenſe will keep them eaſy; unleſs it ſhould be their fate to have ſuch females in their families as a facetious author repreſents in a madhouſe, a magiſtrate's wife, who upon being called cit by a court lady never was herſelf after; a lady of an India governor, whoſe madneſs was occaſioned by her coach being obliged to draw back half the length of a narrow ſtreet to make way for a ducheſs; and the daughter of a citizen whoſe brain turned at a diſappointment of marrying a nobleman. But, whatever title theſe may have to ſemi-nobility it is totally cancelled by a marriage among the commonalty, much

more among the populace, though the law ſays, *Uxor fulget radiis mariti.*

Of the natural children of illuſtrious perſons.

The civil law allows of no proper heirs to rank or eſtate, but the iſſue of a legal marriage; yet princes beſtowing a title and arms upon their natural children, render their nobility unexceptionable, though their arms ſhould be croſſed with a bar, or traverſe from the left to the right. Among the Romans, the ſpurious children born in common and uncertain proſtitution were not owned by the law, as *non habet patrem cui pater eſt populus*; but thoſe born in concubinage, inherited from their mothers, and might claim ſuſtenance from their fathers. The ſee of Rome, has on particular conſiderations, diſpenſed with illegitimates, and even adulterous, for their promotion to the epiſcopacy, though by the canon law a diſpenſation is required to their holding a common benefice; counts-palatine may confer nobility on their natural children, but not any dignity, as more immediately relative to the public order and welfare.

The

Of nobility by virtue.

The beſt nobility is that nobility to which our regard is moſt due as rational creatures, breathing the air of freedom, is that of virtue and wiſdom. It is well ſaid, that a proof of how ſmall account riches and honours are with the divine being, is his permitting them to be in ſuch hands as they often are. Who is upon ſuch ill terms with natural reaſon as not to prefer a plain man of good morals and an uſeful life before an oppreſſive or licentious nobleman; or to account an illuſtrious deſcent an indiſpenſible title to regard. Ovid makes Ulyſſes ſpeak like himſelf, when he ſays,

A long deſcent and boaſted anceſtors,
And acts not done by us, I count not ours,
Our rank in birth and blood be laid aſide,
And by our actions let our worth be try'd.

And Æneas Sylvius declares, my nobleman is the virtuous man: clothes, horſes, hounds, plate, retinue, gardens, ſeats, nor titles, nor even high offices

cannot raiſe my envy or eſteem; for all theſe may be the portion of a man whom to account noble one muſt be like him. If there muſt be a preference of man above man, let it be determined by the perfection of his nature, and what is this but knowlege and virtue; only caſt an eye upon mankind, and where theſe are wanting, does not the difference betwixt ſuch and brutes, chiefly lye in the ſpeech and figure: Such is the importance of virtue, that father Paul thus ſtrongly recommends it to the ſenate of Venice. "Let virtue be eſteemed in whatever "perſon it is found; and although he "be not noble, yet let him be highly "valued and encouraged to live among "us, for his own merit makes him ſuffi- "ciently noble. If a merchant bringing "a few periſhable commodities, ſome "of which we had better be without, is "well looked upon, how much more "the virtuous and ingenious man, who "brings among us a treaſure of real and "laſting benefit; let ſuch a perſon never "want any thing toward his content-

"ment;

" ment; if for no other reaſon, at leaſt, " that he, whom grandeur would be- " come, may not lead the life of a mole " among us, in dejection and obſcu- " rity." And to rulers virtue is ſo advantageous, that reputation will procure money, though no money will purchaſe reputation: Hiſtory ſhews, that the lives and fortunes of the whole community, are at the call of a wiſe and virtuous government. As to inward, that is, the real happineſs of individuals, it cannot ſubſiſt without virtue; this is a truth felt in proportion to the deviations from it, and never was better advice given than that of the Engliſh philoſopher (Locke) on education, " Whatever you " employ to the advantage of your ſon's " mind, will ſhew your true kindneſs, " though it be to the leſſening of your " eſtate: A wiſe and good man can " hardly want either the opinion or " reality of being great and happy; but " he that is fooliſh or vicious can be nei- " ther great nor happy whatſoever you " leave him. I aſk you, Whether there be

" not

"not ſome men in the world whom you "had rather have your ſon be with five "hundred pounds a year, than others "with five thouſand? He that at any "rate procures his child a good mind, "well principled, tempered to virtue "and uſefulneſs, and adorned with ci-"vility and good breeding, makes a "better purchaſe than if he had laid out "the money for an addition of acres." Knowledge is ſo eſſential that without it virtue itſelf will be irregular in its move-ments, and its exertion more contracted. Of this Czar Peter I. was a ſignal in-ſtance; nature had made him a great man, but by a total want of education his native ſavageneſs never entirely wore off, ſo that his life was an heterogeneous medley of great actions and of oddities, of fine ſayings and coarſe manners, of ſalutary deſigns and cruel procedures. He was deeply ſenſible of his ferocity, yet drank largely of brandy. In mo-rality he was as an extraordinary celeſtial phenomenon, inſpiring admira-tion and terror. Towards his ſubjects

he

he was a tempeſt, of which the lightening demoliſhes trees and ſteeples, whilſt the rain fertilizes the country: but to be ſuperlatively endued with both knowledge and virtue, is a character to which all the records of heraldry do not afford an equal.

Of complete nobility.

This is a world of imperfections, poſſibly a complete nobility is more than the moſt conſummate genealogiſt, with the moſt extenſive acquaintance, can produce. By a complete nobility, I mean that in which none of the properties of true nobility are wanting, and theſe are three, a degree of honour acquired by merit and virtue; otherwiſe this nobility, however ancient, is tainted in its very ſource, and it muſt be a behaviour above the common which can charm obloquy and ſpread a veil over the defect. Secondly, a nobility honourable in its riſe, muſt be ſuitably tranſmitted by treading in the founder's ſteps, or by a diſtinguiſhed exerciſe of the great or the amiable qualities; to theſe muſt likewiſe be added a competent income, and

a liberal uſe of it, the temper and eſtate equally above meanneſs; a concurrence of theſe three circumſtances, it muſt be owned, conſtitute a perfect nobility, and ſuch a one will be extremely difficult to be found. As for moral nobility, Adam himſelf ſoon forfeited that, and the diſgrace was continued by his deſcendants; his eldeſt ſon proved an unnatural murderer, Iſmael was the ſon of Abraham by his ſlave, and Lot was enticed to inceſt by his daughters; Jacob and his mother joined in a deceitful plot to impoſe upon the father, and deprive his brother of his right, and Jacob had little ſatisfaction in his children till his diſtreſs was relieved by Joſeph's advancement. Eli's death was the puniſhment of his indulgence to his wicked children; and among thoſe of David, one roſe in arms to deprive him of throne and life, and his favourite ſon Solomon loſt his wiſdom in the embraces of his concubines. If we turn our eyes to profane hiſtory, it affords ſo many inſtances of degenerate ſons, that *Heroum filii Nebulones*, paſſed into

into a proverb. What a difference betwixt Jehoſaphat and Jehoram, the emperor Antonine and that wretch Commodus, Cicero and his ſon Marcus; and Richard II. king of England who never ſhewed the leaſt bravery but againſt the aſſaſſins who murder'd him, was the ſon of the intrepid black prince, unleſs the ſecret hiſtory be true of the intrigue betwixt a monk of Bourdeaux and the princeſs. Let not my freedom of ſpeech be interpreted as malice or inſolence, but if the three aforementioned qualities be, as they certainly are, requiſites to true nobility, may not the queſtion of Chriſt to his diſciples be put to the nobleſſe as a check to the arrogance of ſome, Who among you is pure? And whoever conſiders the viciſſitudes of the late ages, the fall of the eminent, and the riſe of the obſcure, muſt own that the following lamentation of Solomon is not quite foreign to our times, "There is an evil which I have ſeen "under the ſun, namely, ignorance "among the mighty, and the rich in "wiſ-

"wiſdom ſit in a low place. I have "ſeen ſervants upon horſes, and princes "walking on foot."

CHAP. III.

Of Mercantile Nobility.

Of the origin of mercantile nobility.

SINCE the diſcovery of the new world, commerce has acquired a ſplendor and importance of which before it was not ſuſceptible, and riches being naturally productive of aſpiring deſires, merchants who had ſenſe enough to limit their purſuit of gain, figured at court and laid out part of their gains for a title; and from ſuch golden roots are ſprung many branches of the ſeveral degrees of nobility, the higheſt, the princely not excepted. This was, indeed, ſomething of a breach of the old ſtatutes concerning nobility, which exclude merchants, but the ſame trade is carried on to this day, and why not? if ſuitable intellects and morals be not wanting, who can better ſupport nobility than merchants

merchants of over-grown fortunes. The ancient laws of honour in Germany were very rigid in this point, *nobiles ſe negociationi & mercaturæ immiſcentes perdunt nobilitatem.* And Livy informs us, that the majeſty of Tarquinius Priſcus ſuffered a conſiderable diminution in the eyes of the ſenate, from his being the ſon of a merchant. *Quæſtus enim patribus indecoroſus viſus eſt.* And here I cannot forbear inſerting what Herodotus relates in his ſecond book of Amaſis king of Egypt. "A prince of "mean birth but great qualities, who "perceiving ſome reluctance in the great "men to pay him proper reſpect and "obedience, he privately ſent for a "goldſmith, and directed him to take "a large golden veſſel, in which he "waſhed his feet, and with all expe-"dition to make a God of it. This, one "day when he and the great men were "performing a ſolemn act of devotion, "was by his direction brought into the "temple: All the aſſembly received "it with adoration and other religious "geſtures;

Of laws relating to mercantile nobility.

" geſtures; upon which Amaſis cried,
" prepoſterous devotion! thus to adore
" what a few days ago was the ſordid
" baſon in which I waſhed my feet;
" they anſwered, as it were with one
" voice, It is not what it was, but what
" it is, that we conſider. Right, replied
" the king, and do ſo with me, forget
" what I was, think of what I am: my
" birth was mean, but the Gods have
" raiſed me to the throne, and I'll act as
" their vice-gerent."

An overture was made to the ſtate of Venice, that the nobility ſhould not trade, as the only way to engage merchants to ſettle in the city; for if the noblemen trade, the merchants will be afraid of being cheated, and over-awed in their buſineſs. The Spaniards, who bear no good-will to the Venetians, have not a more odious title to give Venice, than by calling it a republic of merchants. By the ancient law, a nobleman, whoſe blood was tainted with merchandize, could not enter into the tournament, as not being reputed an

equal

equal to gentlemen. Trade may in a ſhort time either exceſſively enrich, or extremely impoveriſh a family, and neither the one nor the other is expedient in a commonwealth. The merchant is of neceſſity a foreigner, he having commerce, and intereſt in other nations; whereas a nobleman ought to have his affections no where but in his own country. To which may be added, the ill conſequences of a declenſion of a martial ſpirit among the nobility, by whoſe courage countries have often been ſaved; it was the nobility who recovered France out of the hands of the Engliſh; to the nobility Perſia owed its deliverance from the Tartars and Saracens; and how was the Mooriſh tyranny in Spain brought to a period, but by the valour of its nobility. Prohibiting commerce to the nobility, is, indeed, ſomething different from excluding merchants, who have given over trade, from nobility; but the cuſtom in this republic had, it ſeems, been very different, for which Matthew Corvinus, king of Hun-

gary, took occaſion to deny any ſuch thing as true nobility to exiſt among the Venetians, calling their nobleſſe a pack of avaricious clowns, ſullying the jewel of nobility with their hands all daubed with trade and uſury. But Caſſanio's deſcription of the Neapolitan nobility, in his *Catal. gloriæ mundi conſid.* 49, well deſerves a place here in its original language. *Neapolitani qui præ cæteris nobilitatem præ ſe ferre videntur, cum in deſidia ac ignavia conſtituere videntur. Nulli etenim præter quam inerti & inexperto otio intenti ſedendo atque oſcitando ex ſuis poſſeſſionibus vitam degunt. Nefas eſt ut opinatus nobilis rei ruſticæ aut ſuis rationibus cognoſcendis operam daret, ſedentes in attriis, in hemicyclis, aut in equitando priſcis domibus orti, ſe nobiles profitentur.* Mercaturam, ut rem viliſſimam exhorrent, *adeo faſtu nobilitatis tumentes, ut quantumvis egenus atque inops citius fame interiret quam filiam, vel opulentiſſimo mercatori matrimonio collocaret, mavultque furtis & latrocinio quam honeſto quæſtui vacare.* A nobility more contemptible than that of Pruſſia was not many

many years ago, ſo extravagantly martial, that ignorance was a ſign of merit, and literature of puſillanimity, till the preſent king, himſelf their example, brought them to a better way of thinking.

But hard as the premiſſes may ſeem to bear on merchandize, what are they to the tremendous denunciation of St. Chryſoſtom in his 38th homily on the 21ſt chapter of St. Matthew. "It is "next to an impoſſibility that a mer-"chant can pleaſe God, and therefore no "chriſtian is to be a merchant, and if "he will be ſuch, let him be caſt out of "the church." Hard words, and which, I conceive, rather ſhew the patriarch's zeal than his good ſenſe.

Of laws in favour of mercantile nobility.

There is not a more flagrant token of the abſurd pride of man, than formal laws made to the diſcouragement of merchants. For antiquity commerce can vye with any creditable profeſſion; it is to commerce that every nation is indebted for its reformation from ſavageneſs, for its improvement in arts and ſciences; and for the comforts and elegancies of life.

Merchandize in a ſtate, is as the blood to the body; trade is the daily and perpetual ſupport of all European nations as at preſent circumſtanced; and if, as the celebrated Colbert, miniſter of ſtate in France, obſerved, "That a war was "in effect no more than a trial which "nation had the moſt money," as the mercantile ſtation affords as large a proſpect for opulent acquiſitions as any other, ſo is it a copious river daily flowing in to the publick treaſury, and conſequently augmenting the national ſtrength: The crown of France, which cannot be charged with proſtituting the honour of nobility, entertains ſuch an idea of merchandize, as, by ſeveral edicts, to render it compatible with nobility; and ſuch a vein of good ſenſe runs through one of them, that I ſhall inſert it at length.

EDIT

EDIT du ROY.

‘ Portant que les nobles pourront faire ‘ le commerce de mer ſans deroger à ‘ la nobleſſe. Donné à S. Germain en ‘ Laye au mois d' Aouſt. 1669.

‘ LOUIS par la grace de Dieu, roy ‘ de France et de Navarre, a tous ‘ preſens & a venir, ſalut; comme le ‘ commerce & parti culierement celui ‘ qui ſe fait par mer, eſt la ſource ‘ feconde qui apporte l'abondance dans ‘ les et ats, & les repand ſur les ſujets ‘ a proportion de leur induſtrie, et de ‘ leur travail, & quil n'y a point de ‘ moyen pour acquerir du bien qui ſoit ‘ plus innocent & plus legitime: *auſſi* ‘ *a-t-il toûjours été en grande conſideration* ‘ *parmi les nations les mieux* polies, & ‘ univerſellement bien reçu, comme des ‘ plus honneſtes occupations de la vie ‘ civile, *&c.* A ces cauſes deſirant de ‘ ne rien obmettre de ce qui peut d' ‘ avantage exciter nos ſujets a s'engager

‘ dans le commerce & le rendre plus
‘ floriſſant, et de nôtre grace ſpeciale,
‘ pleine puiſſance & autorité royale nous
‘ avons dit & declaré; & par ces pre-
‘ ſentes ſignées de nôtre main, dizons
‘ & declarons voulons et nous plait,
‘ que tous gentilhommes puiſſent par
‘ eux ou par perſonnes interpoſces, en-
‘ trer en ſocieté & prendre part dans les
‘ vaiſſeaux marchands, denrées & mar-
‘ chandiſes diceux, ſans que pour raiſon
‘ de ce ils ſoient cenſez & reputez dero-
‘ ger à nobleſſe; pourvû toutefois qûils
‘ ne vendent point en detail, &c.

Signé LOUIS, & ſur le reply par le Roi,
COLBERT.

It muſt be further obſerved, that inſtances are not wanting of merchants who have been enobled, Samuel Bernard, was created Comte de Coupert; about the year 1713, he broke to ſave the honour of the crown which was quite exhauſted; but he afterwards made ſhift to leave behind him thirty millions of livres. In Bretagne, which claims a leſs abſolute

lute ſubjection to the crown of France than the other provinces, even a retail trade does not extinguiſh nobility; it only *ſleeps*, as the phraſe is, and can be reaſſumed without any letters of rehabilitation.

If honours were inſtituted as diſtinctions of ſignal ſervices, few have a better claim to them than a merchant who deals largely, and that, if it were only from the natural conſequences of his traffic. The conſequences of idleneſs, and want, ſo detrimental to ſociety, are prevented by various employments which commerce procures to the commonalty. Forces cannot be maintained without vaſt ſums; theſe ſums are not to be raiſed without duties, and the produce of theſe duties muſt depend on trade. To trade the throne owes its ſplendor; the embaſſador of the Budziac Tartars ſent to an elector of Brandenburgh, had only ſome rags on, and theſe not ſufficient to cover him with modeſty, that there was no introducing him to his audience till he had been new cloathed; his interpreter

preter had a wooden noſe and no ears; whereas Venice, not the mightieſt ſtate in Europe, is diſtinguiſhed for the elegancy and ſplendor of its embaſſies. Whence this contraſt? All the trade of Budziac conſiſts in an exchange of ſkins for tobacco, that of the Venetians in the richeſt commodities; and ſo attentive are they in the preſervation of it, that the ſenate, ſenſible of the great profit accruing to the republic from the glaſs-workers of Murat, to encourage the tradeſmen of that manufacture to remain among them, made them all burgeſſes of Venice, and allowed nobles to marry their daughters; whereas, if a nobleman marries the daughter of any other tradeſman the iſſue are not reputed noble. And if we conſider the patriotiſm of merchants, hiſtory affords us many ſhining inſtances of it, ſuch as any other ſet of men wanted either will or ability to effect. I ſhall ſelect two, one of our own country, and the other of France, which, though I admire, I wiſh had never been performed. The firſt is, that the glo-

rious

rious Charles V. being reduced to extreme ſtraights by the diſaſterous iſſue of a very chargeable expedition againſt Tunis, the Fuggers, a family of merchants at Augſburg, furniſhed him with the ſums, which by his own computation, would make his affairs eaſy, and enable him to act with the vigor becoming the head of Germany; and for this loan the emperor gave them written obligations. Charles, one day, taking the air near their houſe, the noble ſpirited merchants begged he would do them the honour to accept of a regale, which the emperor could not well refuſe to ſuch hearty ſubjects; after the collation, they ordered a heap of cinnamon to be laid for a fire, ſaying, that common wood was not fit fuel for ſuch a worthy prince, to which he anſwered, By St. Martin it will be the moſt coſtly fire I ever ſat by; the fire, Sir, is nothing to what we intend to light it with, and one of them taking the emperor's bonds out of his boſom, and ſetting fire to them, thruſt them among the cinnamon, the family

chanting

chanting out, alluding to the fire: "Thus bright and fragrant is Charles's "name." The other is of the merchants of St. Malo, who, leſt Lewis XIV. ſhould at length be neceſſitated to comply with the demand made by the miniſters of Great-Britain, Germany and Holland, at the congreſs of Gertruydenberg; that he ſhould by force compel his grandſon Philip V. then king of Spain, to relinquiſh that crown, they united all the profits of their trade to the Spaniſh colonies in America, and immediately ſupplied the king with thirty-two millions of livres in caſh, and at a very low ebb, both of the finances and credit. A moſt ſeaſonable good turn; for the war being vigorouſly renewed, and a diſunion happening among the allies, brought on a peace, in which France ſecured its favourite point of the crown of Spain *.

The

* The merchants of Augſburgh acted with a moſt genteel liberality; but in thoſe of St. Malo, the reader will diſcern that intereſt was not out of the queſtion; for had the Spaniſh Weſt-Indies fallen

The nobleſſe either through inability or indiſpoſition, have ſometimes failed in this reſpect. Charles VII. king of France, and

fallen into the hands of Auſtria, the French commerce thither would not have yielded ſuch exuberant profits. It would be inexcuſable on this occaſion to omit two inſtances of Engliſh merchants, who were of no leſs ſervice to their country. The firſt was Sir Thomas Greſham. King Edward the VI. being indebted to the merchants of Antwerp ſuch ſums, that the payment of the intereſt, in thoſe times very high, was a great incumbrance to the nation. The expedients ſuggeſted for repayment, were either to tranſport ſo much treaſure out of the land, or to remit it by exchange. The ſcarcity of gold and ſilver in the kingdom would not admit of the former, and negociating the debt by foreign bills, would have brought on ſuch a diſadvantage on the exchange, that the exportation of gold and ſilver in the way of trade would have gone on increaſing. Amidſt theſe embaraſſments, Sir Thomas undertook the affair, and completed it without ſending any money out of the kingdom; for although the exchange was then only at ſixteen Flemiſh ſhillings per pound of our currency, this merchant ſo wiſely managed the negociation, that he paid the king's debts as they fell due at an exchange of twenty and twenty-two ſhillings per pound. Farther, by this riſe of the exchange in favour of England it retrieved the credit and honour of the nation, and was of ſo happy influence on foreign trade, that the price of all foreign commodities fell proportionably, which in very little time ſaved the kingdom near 400,000 pounds ſterling, which

may

and the French nobility are diſtinguiſhed for courage and devotedneſs to the ſovereign, finding the ſervices of the nobles very unequal to the times, raiſed fifteen troops, each conſiſting of 150 choſen men, by the name of *men of arms*; every one of whom had five attendants, three archers, a ſutler and a page all on horſeback; and this was the riſe of the French *Gendarmerie* ſo famous in military hiſtory. But the moſt honorable elogium of this corps was the anſwer of Francis I.

may be at preſent computed at leaſt four times that ſum. Nor did the advantages terminate here, for as when the exchange was ſo greatly againſt England, large ſums were daily exported out of the kingdom, this favourable riſe of it brought all the gold and ſilver back again.

The other was Thomas Sutton, Eſq; who, by his addreſs in getting the Spaniſh bills proteſted at Genoa, in 1587, retarded for a whole year, the ſailing of the Spaniſh Armada, which greatly contributed to the defeat of that formidable enterpriſe.

A merchant of Amſterdam advanced two millions of florins, to the prince of Orange for his expedition to England, with this compliment: "The cauſe, Sir, in which you embark, is humane "and glorious; if you ſucceed, I am confident "you will pay me; if otherwiſe, the loſs be "mine."

Chamber's dict. Mem. de Brandebourg,

to

to the emperor Charles V. who desired that prince to lend him a sum of money, and likewise his Gendarmerie to act against the Turks; "as to the first point, answered Francis, I am no "banker; and as to my Gendarmerie, "it being the arm which carries my "sceptre, I never send it in quest of "glory, without going myself to share "their dangers *."

When

* It is of this Gendarmerie that Mr. Addison in his campaigne gives this fine character,

The houshold troops advance,
The dread of Europe, and the pride of France,
The wars whole art each private soldier knows,
And in his breast a general's ardor glows.
Proudly he marches on, and void of fear,
Laughs at the shaking of the British spear.

I can't forbear adding what follows in the same poem.

Vain insolence! with native freedom brave,
The meanest Briton scorns the highest slave,
Contempt and fury fire their souls by turns,
Each nations glory in each warrior burns,
Each fights as in his arm th' important day,
And all the fate of his great monarch lay.

Of this Gendarmerie two troops are called the Scotch and English, the former, which the French historians themselves allow to be the oldest of all; the

When the merchant proſpers, the ſtate of the world is as all good men could wiſh it, ſhips ſail unmoleſted, the villager quietly follows his uſeful labors, and the hands of induſtry are free. Whereas military glory is not to be acquired but through rivers of blood and hills of ſlain. The affluence of the merchant ſpreads comfort amongſt his numerous inſtruments in trade, nay, diffuſes its happy influence through all quarters of the world; an artiſan in Malaga may owe the greateſt part of his ſubſiſtance to a merchant at Hamburgh; whereas it is

the firſt colonel of the former, was John Stuart lord Darnly 1422, and the laſt, Britiſh, James duke of York, who in 1667 reſigned it to Lewis XIV. But a cuſtom gradually obtaining, that none but French ſhould belong to the horſe-guards, all that remains of Scotch in it is, that at calling over the troop, the anſwer is *Hamir*, i. e. I am here. Its ſtandard is a large greyhound running in a plain, with this motto, *In omni modo fidelis*. The Engliſh troop of Gendarmes was carried into France by lord George Hamilton, 1667, but, at preſent, it might as well be called *Tartarian*, for any relation it bears to the Engliſh. Its device is a ſun and a flight of eagles ſoaring towards it, *Tuus ad te nos vocat ardor*. The general device of the houſhold troops is a thunderbolt, with theſe words, *Quo jubet iratus Jupiter*.

ſeldom

ſeldom that military men make their fortune in their own way, but by the miſery of mankind, of nations groaning under taxes, and loſing the flower of their men, if they have the good fortune to eſcape being the theatre of war, to fill up the meaſure of their calamities. How falſe the prejudices of the generality, idolizing the ſucceſsful temerity of the ſcourges of mankind, the turbulent and ambitious; to their eyes the falſe glare of military feats obſcures the lovelineſs of civil virtues; an Alaric is a greater man than a Solon.

Merchandize has been accounted of ſuch utility and importance, that ſome politicians have laid it down as a maxim *etiam graſſante bello paſtor aret, agricola colat, mercator naviget velut in pace*, and the chief objection againſt it is not without an appearance of humanity, that ſuch an indulgent manner of carrying on war would protract the evil.

All mankind merchants.

All Men will be found occaſionally to be merchants, or rather petty tradeſmen. The two eſſential parts of merchandize are

are known to be buying and ſelling, the landed gentlemen makes the beſt bargains he can with his tenants, and not ſeldom racks them, though his oppreſſion ſometimes may come ſhort of its aim by the duplicity of thoſe on whom he diſcharges the incumbrance of affairs. The clergy are reputed very acute dealers in the diſpoſal of their tythes, and other temporal barters. The profound doctor haggles with the bookſeller about his diſſertation no leſs than he futlie poet for ſatyrs and panegyrics. And may I be permitted to ſay, that even monarchs themſelves, are not above commutations or driving bargains, and ſuch as no mean pens have taken upon them to charge with injuſtice and cruelty, I mean ſubſidy contracts, or furniſhing another prince with ſome thouſands of men, many of whom are diſabled, or periſh in a war which no wiſe affected their own country. On this head the moſt illuſtrious pen of our age does not ſpare even his own grandfather "Frederic I. "king of Pruſſia, to procure the title of

"king,

"king, ſacrificed 30,000 of his ſubjects "in the ſervice of the emperor.—He "was ſplendid and generous, but at "what a rate did he purchaſe the plea-"ſure of gratifying his paſſions? he "made a trade of the blood of his ſub-"jects with the Dutch and Engliſh, like "the Tartars ſelling their flocks and "herds to the butchers of Podolia.— "He uſed to ſell 20,000 men to enable "him to keep on foot 30,000." Strange pride, that can ſtoop to be a penſioner! what follows is too excellent to be omitted, eſpecially as coming from a king, and one who acts up to his maxims. "A prince being the ſtate's chief ſervant "is accountable to it for his uſe of the "public monies, a certain ſum of which "he may uſe for the due ſupport of his "dignity, and the remainder ſhould be "laid out in rewarding merit and ſer-"vices, and in ſuch liberalities as in-"creaſe the opulency of the ſtate: he is "to keep up the equality of conditions, "not oppreſs the poor to gorge the rich, "profuſely to alleviate public diſtreſſes,

" to relieve the indigent of all ſorts and " conditions, to uſe magnificence in " every thing which concerns the body " of the ſtate in general, and to order " his expences to the greateſt advantage " of his ſubjects, as from them he draws " his revenues."

Of the different eſteem in which merchants have ſtood in nations.

The prophet Iſaiah, in the 23d chapter and 8th verſe, ſays of the city of Tyre, that " her merchants are princes, and " her traffickers the honourable of the " earth;" the Romans though they payed the chief regard to military virtue, yet were convinced of the regard due to traders. Cicero *lib.* 1. *de offic.* ſays, *mercatura ſi magna & copioſa videtur jure optimo laudari*; and in his ſpeech againſt Verres, who had been governor of Sicily, he mentions two Roman knights, and in terms full of regard, who yet were merchants in that iſland. However the Roman dignity would not connive at trade in Patricians, for by the *Lex Claudia*, paſſed in the year of the city 535, no ſenator, or father of a ſenator, ſhould poſſeſs a ſailing veſſel

of

of above 300 buſhels, that the law ſays, being big enough for bringing over fruits and neceſſaries; as for commercial gain it is unworthy the grandeur of that order. And Suetonius, in the life of the emperor Claudius, informs us, that for the increaſe of ſhipping, and the importation of corn, any citizen building a ſhip which would hold ten thouſand *modii* *, and had imported to Rome ſix years, ſhould be exempt from the Papian law, by which batchelors were taxed, and incapable of receiving any legacy unleſs from near relations, neither could they ſtand for offices againſt married men, which gave occaſion to this ſarcaſm of Plutarch's on the Romans, that many of them did not marry for heirs to their own fortunes, but to qualify them to inherit thoſe of others; if a Latin he ſhould be made a freeman of Rome, and female traders were intitled to the *jus quatuor liberorum*, by which they were exempted from many burdens, and made

* *Modius* is generally render'd a *buſhel*, eſpecially of corn, but ſome annotators make it only a peck and a half.

capable of inheriting from their ſons or daughters dying inteſtate, and theſe from them, together with other privileges, which, otherwiſe they were debarred from by law, though the inheritance came within the *jus trium liberorum*. The occaſion of this encouragement to commerce, ſounds ſomething odd in our days; it was not the effect of that prince's wiſdom, but a forced meaſure, his imperial majeſty in a time of ſcarcity having been pelted out of the Forum with pieces of bread, and was glad to ſlip into his palace by a back-door. Marcellinus Coſmes, in his 13th Indiction, relates a rougher treatment offered to Theodoſius, though a prince of another character than Claudius. *Hoc tempore dum ad horrea publica Theodoſius proceſſum celebrat, imp. tritici ingruente penuria, ab orientis populo lapidibus impetitus eſt.* Charles IX. of France, from a ſenſe of the vaſt benefit which accru'd to the whole kingdom from the commerce of Marſeilles, granted it a peculiar charter, rendering its merchants capable of nobility, even continuing their

profeſſion. With whatever contempt the ancient German fierceneſs looked down on trade: The emperor Leopold admitted to nobility a number of wholeſale dealers who having their warehouſes at Vienna, and were only called warehouſemen. Lewis XIV, in 1684, having thought fit to endeavour by perſecution to bring all his ſubjects to be of his religion, above 20,000 Proteſtants fled into Brandenburgh, where the wiſe elector thought he could not do too much for ſuch a uſeful colony; beſides a profuſion of liberalities, that they might chearfully begin their ſettlements, he aſſigned them a penſion of 40,000 crowns which is continued to this day, and indeed the various improvements and branches of commerce which they have introduced, merit a particular acknowledgment: they have changed the whole face of the country, imparted a new taſte and genius to the people; and Berlin in particular, is a ſplendid monument of French ſkill and induſtry, the *journal oeconomique* relates, that ſoon after the Engliſh had

opened a ſilk trade from Perſia by the way of Aſtracan, and from thence to Peterſburgh, to be exported to London, an entire caravan of ſilk having been pillaged within the Perſian dominions, the wiſe Sophi, Schah Nadir, far from deſpiſing the perſons who brought the complaint as only merchants or factors, received them with the greateſt honours, and leſt ſuch depredations might put a ſtop to the trade, ordered the Engliſh to be reimburſed, and according to their own computation, in which, they are ſaid to have had the prudence and generoſity not to enlarge.

Of great merchants and mercantile ſtates.

Martinelli, in his *Iſtoria della vita civile*, has the following words, "Let any one, "if ſuch a one can be, who is a ſtranger "to the vaſt benefits of trade, take a "view of Genoa, which in a diſfavour-"able ſituation, by commerce (for there "the character of a merchant adds a "luſtre to that of the noble) is riſen to "be, in proportion to the number of its "inhabitants, the wealthieſt city of all "Italy, when Tuſcany a large country,

"and

"and at the luxuriancy of which, Hani-
"bal was ſo ſtruck, that he made uſe
"of it as a motive that the ſoldiers
"ſhould love him, and to animate them
"in the proſecution of the war, that he
"had brought them to ſuch a delicious
"country, yet by the neglect of traffic and
"a want of induſtry, it does not afford
"one rich family to twelve in Genoa,
"and this is chiefly owing to a ſenſeleſs
"contempt in the nobility for any thing
"mercantile, though it was by trade
"their induſtrious anceſtors laid the
"foundations of their abuſed grandeur.
"Venice * whoſe iſlands at firſt were
"only

* I ſhall here borrow a note from the judicious author of the ſpirit of laws, relating to this ſtate and its nobility, "In an ill conſtituted ariſtocracy
"the wealth centers in the nobility, and yet they
"are not allowed to ſpend; for as luxury is con-
"trary to the ſpirit of moderation, it muſt be ba-
"niſhed from thence: This government, therefore,
"comprehends only people that are extremely
"poor and cannot acquire, and people immenſely
"rich, yet muſt not ſpend. At Venice the nobi-
"lity are compelled by the laws to moderation,
"and thus they are habituated to frugality, that
"none but courtezans can make them part with
"their money. This is the method made uſe of

" only the abode of fiſhermen, and in
" 420, the refuge of the inhabitants of
" the neighbouring countries from the
" ravages of the Goths, but in half a
" century afterwards, of ſome of the no-
" bleſt and moſt conſiderable citizens of
" Rome, Milan, Mantua, Padua, &c.
" to avoid the fury of Atila, king of the
" Huns, who ſacked Rome. From
" theſe beginnings, and amidſt all thoſe
" feuds and convulſions incident to free
" ſtates, from the greater ranges allowed
" in them to the buſy paſſions of men,
" by commerce, it has juſtly acquired the
" appellation of *Venetia la ricca*, ſtanding
" on above a hundred iſlands, and full
" two leagues in circumference, and if
" any place in Europe is to be thought
" impregnable it is Venice, for towards
" the Adriatic it is approachable only
" by three channels, and theſe ſo intri-

" for the ſupport of induſtry; the loweſt people,
" the moſt contemptible women ſpend their
" money freely without controul, whilſt they
" who maintain them, conſume their days in that
" obſcurity which accompanies a cloſe parſi-
" mony."

" cate

" cate as to be indicated by buoys and
" other marks, removable at the firſt
" apprehenſion of hoſtilities. Its arſenal
" is celebrated all over Europe, and as
" the church of St. Mark ſurpaſſes in
" magnificence any thing of the kind,
" the treaſury belonging to it contains
" immenſe riches; but the Venetian
" ſplendor, a certain mark of opulence,
" is never ſeen to ſuch advantage as on
" Aſcenſion-day, when the doge goes in
" the Buccentaur, the moſt ſuperb veſſel
" in Europe, and throws a gold ring
" into the Adriatic, with theſe words,
" We eſpouſe thee, our ſea, in token of
" our juſt, real and everlaſting dominion
" over thee. On this occaſion he is at-
" tended by ſome hundred of galleys
" and gondalas all richly decorated.
" Now, the original ſpring of all this
" power and wealth was their vaſt com-
" merce; for before the diſcovery of a
" paſſage to India by the Cape of Good
" Hope; the Venetians furniſhed the
" greateſt part of Europe with Aſiatic
" goods from the ports of Turkey. I

" ſhall

"ſhall take my leave of this ſplendid "ſtate with two well known particulars, "eſpecially as they relate to the privi- "leges and tempers of the nobility, * "the firſt is, that near a century ago, the "patriarch of Venice going about to "reform the abuſes of nunneries, began "with that of St. Laurence, but the "nuns gave him to underſtand, that "they were Venetian nobles and would "not acknowledge his ſuperiority, nor

* I ſhall add a remark from Mr. Thompſon's travels concerning the Venetian nobility, that "a "nobleman going into orders, loſes his right of "voting in the great council, and if any of them "were promoted to be cardinals, the whole fami- "ly, are, during their life-time, not only deprived "of that privilege, but likewiſe incapable of all "employments; ſo jealous are the Venetians of "the power of churchmen; yet what can be more "deteſtable than their political maxims as enu- "merated by Mr. Addiſon, "The preſervation of "the republic, ſays he, is that to which all other "conſiderations ſubmit; to encourage idleneſs and "luxury in the nobility, to cheriſh ignorance and "licentiouſneſs in the clergy, to keep alive a con- "tinual faction in the common people, to connive "at the viciouſneſs and debauchery of convents, "to breed diſſentions among the nobles of the "*terra firma*, to treat a brave man with ſcorn and "infamy; in ſhort, to ſtick at nothing for the pub- "lic intereſt, are the refined parts of Venetian "wiſdom.

"admit

"admit of his viſitation. Upon which "to chaſtiſe ſuch an inſult againſt paſto-"ral power, he attempted to ſhut their "houſe up; this ſo provoked the high "ſpirited ladies, that they would have "ſet fire to it had not the ſenate inter-"poſed and directed the patriarch to "deſiſt. The other is, that about three "hundred years ago, all courtezans "having been ordered out of the city, "ſuch violences were offered to women "of faſhion and character, and the no-"bility for want of the amuſements of "intrigues, caballing, and projecting "ſtate innovations, there was a neceſſity "of recalling them for the ſafety of "virtuous women, and to divert the "minds of the nobles, and they at "preſent ſwarm in Venice, beyond any "other place in the whole world."

But our own age affords a remarkable inſtance of the benefits of commerce, in Lenguella, a maritime village near Genoa: A ſingle fiſherman was its founder, but he was ſoon joined by others of that profeſſion, and their ſucceſs was

ſuch,

ſuch, that quitting their nets, they ſet up to carry goods from place to place, which anſwered ſo well, that from a ſingle houſe, Lenguella is now become a place of that reſort, as to have above 60 veſſels belonging to it, which make voyages to the Black Sea on one ſide, and beyond the Straits of Gibraltar on the other; the mariners are ſo expert at carrying a great ſail that their veſſels ſeem to fly, and no Corſair has ever been able to come up with them, a circumſtance, which, with their known diligence and honeſty, makes all traders fond of employing them; indeed they are a ſignal exception to one clauſe of the Italian proverb, which ſays of the Genoeſe, That they have a ſea without fiſh, land without trees, men without faith, and women without ſhame.

But the moſt conſpicuous inſtance of the mighty benefits ariſing from commerce, and conſequently how reputable the profeſſion of a merchant, is took its riſe in our own country; I mean the aſſociation of the Hanſe-towns; Bremen firſt made

made the overture to Amſterdam, and from their fitting out two men of war each, as convoys, ſuch advantages accrued to their trade, that not only more cities acceded to their friendly league, but ſtates and princes courted their alliance, and ſought their protection; ſuch was their power, that they raiſed armies as well as navies, enjoyed countries in ſovereignty, and made peace and war, though merely in defence of their trade. In the year 1200, the Hanſe conſiſted of no leſs than 72 cities * and were arrived to

* One of their principal magazines was at London, where a ſociety of German merchants was formed, called the Steel-yard company, to which Edward I. had granted great privileges, which were revoked by act of parliament in the reign of Edward VI. on complaint of the Engliſh merchants, that this company had ſo engroſſed the cloth trade, that in the preceding year they had exported 50,000 pieces, while all the Engliſh together had ſhipped off but 1100.

Queen Mary who aſcended the throne the year following, having reſolved to marry the emperor's ſon, ſuſpended the execution of the act for three years, but after that term, the act took force to its full extent, notwithſtanding all the repreſentations and offers of the Hanſe towns: Another mortification to them, and which happened not long after, was,

to ſuch a pitch of grandeur, that their ſhips were often hired by other princes to aſſiſt them againſt their enemies, and any who oppoſed their commerce felt the weight of their arm; particularly in 1348, they gave the Daniſh fleet ſuch a blow, that the king was glad to come to terms, though one of them was, that the Hanſe ſhould for 16 years be poſſeſſed of the country on one ſide of the paſſage of the Sound, and conſequently have the

was, that Sir Francis Drake, Queen Elizabeth being then at war with Spain, meeting with 60 Hanſe ſhips in the Tagus, laden with corn, took it from them, as contraband goods, which, by their original patent, they were not to carry. The king of Poland hereupon ſent an embaſſador to Elizabeth with demands of redreſs, and accordingly he delivered his meſſage in ſuch a bluſtering ſtrain, that the Queen anſwered, he had more of the herald than the embaſſador in him. Though Drake's ſeiſure was entirely juſtifiable, the emperor in revenge for this and the abolition of the Steel-yard company, which indeed has an ill appearance, as the work of envy and the ſubject of the complaint was probably occaſioned more by the ſloth or ignorance of the Engliſh, than any oblique proceedings in the company, the emperor I ſay, ſuppreſſed the Engliſh factories in the German Hanſe towns, but upon the diſſolution of the Hanſe-ſociety, the city of Hamburg gladly readmitted the Engliſh merchants. Poſtlethwait's Dictionary.

com-

command of it, that their trade in thoſe parts might not be expoſed to future moleſtations; but what was ſtill more, in 1428, they plundered the territories of Denmark with a fleet of 250 ſail, with 12000 fighting men on board. They exerciſed a juriſdiction among themſelves, and to this purpoſe were divided into the four colleges or provinces called Lubec, Cullen, Brunſwic, and Dantzic, which were ſtyled the mother-cities, and all the others daughters, and here they held their courts of judicature; at the firſt of theſe cities was their treaſury. In ſhort, the ſtate of the Hanſe-towns, and particularly in Germany, was from the 14th to the 16th century not only ſo flouriſhing, but alſo ſo formidable, that ſeveral princes took umbrage at it, and menaced this ſociety, whoſe ſole aim was the promotion of trade, with an offenſive confederacy; and, as a ſpecimen of their intentions to demoliſh it, commanded all the cities within their dominions or dependencies to withdraw their connection with the Hanſe, by this means

means the cities of England, France, Spain and Italy, were obliged to ſeparate. The Hanſe to avoid any further effects of an ill-conceived jealouſy, put themſelves under the protection of the empire, and made a decree that none ſhould be admitted to their confederacy but ſuch cities as ſtood within the limits of the German empire, Dantzic excepted, but this particular union inſenſibly diſſolved, and now every city trades upon its own bottom.

The ſenſe all civilized nations entertain of trade will appear from the publick works, which would never have been taken in hand, but for the advancement of commerce; the firſt I ſhall name is, the road which Peter the firſt, cauſed to be cut, from Petersburgh to Moſcow, intending to make the whole diſtance ſeven hundred and thirty-four werſts, (487 Engliſh miles) in a direct line, but it is not entirely completed; vaſt foreſts of firs, birch, and other trees, were cut through, and a paſſage made over moraſſes, which till then

then was thought impoſſible to be accompliſhed. Immenſe quantities of timber were hewn down, ditches were made, and the earth thrown up and levelled, upon which ſtreight firs, their ſurface being firſt made plane, were laid cloſe to each other; theſe are ſupported by a foundation, of the ſame kind of timber, and the ends in the center, for it is compoſed of two trees, and on both ſides, ſecured by croſs timbers. This bridge, or road of timber, is carried, according as the land requires it, for about one hundred and fifty werſts. Formerly the timber-way was much longer, but as the road-lands, grow drier, it becomes the more unneceſſary. Even for this extent of one hundred and fifty werſts, allowing one tree with another to be nine inches diameter, and the length twenty-three feet, and ſuppoſing the foundation and ſides to be only half ſo many more, as the bridge is compoſed of, and the road to be forty feet wide, here is an expence of 2,100,000 trees. But our admiration

of that prince's zeal for commerce is greatly increaſed, when we conſider the Ladoga-canal deſign'd for the uſe of Peterſburgh, 150 leagues in length. And here I muſt not omit a ſignal conſequence of commerce, that Ruſſia, which a century ago had not a ſingle ſhip, is now, according to the following calculation, which is thought pretty juſt, computed to have above one twentieth of the European ſhipping *. Great-

* I hope I ſhall be excuſed, if from the author's mention of the Ruſſian trade and ſhipping, I run into a ſhort digreſſion on ſome particulars of it relating to our own country. The Engliſh attempting to find a north-eaſt paſſage to China, entered the white ſea, and anchored, near the monaſtery of Archangel, from thence they ſailed fourteen leagues farther up to Kolmogorod, and ſent a deputation to the Czar for permiſſion to trade, this being readily granted, they ſettled at Kolmogorod, but afterwards removing, they built a town near the above monaſtery, which to this day bears the name of Archangel, the ſucceſs of the Engliſh ſoon brought thither the Dutch, and others, and in proceſs of time theſe Europeans went once a year to traffic at the ſuburbs of Moſcow. Among the adventurers to Ruſſia great numbers of Scotch came over, ſome for commerce, and others for commiſſions in the Czar's army, the views of both were fully anſwered, and the decendants of many of them are in a creditable

Great-Britain,	5
United provinces,	5
France,	3
Ruſſia,	1¼
Denmark,	1
Sweden,	1
German Cities,	¾
Spain and Portugal,	2
Italy and the reſt of Europe,	1

It is with a pleaſure near to rapture, that among the remarkable works of which

ditable, and ſome in a ſplendid ſituation; particularly general count Bruce, in 1746, married princeſs Dolgoruki the intended bride of Czar Peter the ſecond. Captain Elton an Engliſhman, being employed by the Czar, to form a map of the country about Aſtracan, ſo ſagaciouſly improv'd that opportunity, that at his return to Peterſburgh, he propoſed to his countrymen, to fetch ſilk from Perſia by the way of Aſtracan, which might be forwarded to London, cheaper than that imported from Smyrna. As author of this propoſal, the Engliſh factory commiſſioned him with the execution of it, and obtained the court of Ruſſia's licence for his going to Iſpahan; he ſucceeded in his negociation, and the merchants immediately ſet up factories, at Gilan, and Aſtracan, and built two veſſels, on the Caſpian-ſea, of which, in juſtice to his conduct, they gave the command to captain Elton, who acquitted himſelf to their entire ſatisfaction, and ſo effectually paved the way for

which commerce may be termed the cauſe and origin, I can introduce one performed under the auſpices of my own ſovereign, a work of infinite expence and labour, withal of ſuch ſkill and genius, that it does not more redound to the honour of the prince by whoſe order it was executed, than of the engineer who planned and conducted

further improvements, that this branch of trade continues ſtill in great proſperity. It muſt not here be omitted, that Ruſſia from the malignancy of a political jealouſy, ſo contrary to generoſity, which rejoices to diffuſe happineſs and knowledge, took umbrage at this commerce, in which three nations found their account, and apprehenſive that the Engliſh might introduce the European ſciences into Perſia, limited them to employ only Ruſſian ſailors, and inſtead of their large ſhips, barks of a fixed tonnage.

The Engliſh trade to Ruſſia is managed by a company erected in queen Elizabeth's time, and the beſt conſtituted of any we have; any merchant being admitted into it for a very ſmall conſideration, and their meaſures are highly beneficial becoming the character of merchants. The chief exports to Ruſſia, are fine apparel, utenſils and toys of all metals, clocks, watches, rich furniture, cabinets, coaches, tin, lead, tobacco, ginger, clothes, &c. for which the returns are tallow, furs, iron, hemp, flax, leather, linen, &c. about 140 ſhips go yearly from England to Ruſſia, but the balance of trade is in favour of the latter.

it;

it; I mean the road made from Vienna to Trieſte in Carniola, the center of our mediterranean trade, for the more ſafe, eaſy and expeditious communication betwixt thoſe places. It is 150 leagues in length, and more than three fourths of it amidſt torrents and mountains covered with perpetual ſnows. Where a mountain is unpaſſable or not to be declined, or taken in the ſlope, it is ſawed directly through. The ſurface of this admirable road is even, dry and ſound, being generally a cement of pounded ſtone, and kept in the beſt repair, and its breadth is in few places leſs than forty feet.

An authentic writer in the *collection of travels*, relates that the American Spaniards ſet no leſs than five hundred thouſand men to form a canal from the lake of Mexico; and if we may go back to ancient times, the light-houſe of Pharos, mentioned by Cæſar and Pliny the elder, a ſtructure, ſolely intended for the ſafety of mariners, was reputed one of the ſeven wonders of the world, and has

communicated its name to all towers built for that uſe, as the Faro de meſſina, Faro one of the Canary-iſlands, and Ferrol in Biſcay. What was the ſcope of the ſtupendous attempts to cut a navigable paſſage betwixt the Mediterranean and Red-ſea, but for the enlargement and expedition of trade? and the numberleſs canals in Holland are all the works of human induſtry, animated by the advantages of commerce: advantages which within a century enabled them to ſtand a war with thoſe powers to whom they owed the ſucceſs of their efforts againſt the tyranny of Spain.

But a work which poſſibly cannot be paralleled by paſt ages, is the famous canal of Languedoc, for opening a communication between the Ocean and the Mediterranean; it was begun in 1666, and finiſhed in 1680. It coſt above thirteen millions of livres, and ſtill takes an immenſe ſum yearly to keep it in repair, its locks, ſluices, baſons, &c. are ſo many that a full account of the whole takes up a book of no ſmall ſize. Beſides the

conveniency of inland trade, the great miniſter who projected it, had alſo another deſign, namely, the ſpeedy junction of the Breſt, and Toulon fleets; but this latter does not anſwer, the French men of war, being ſtill obliged to go round through the ſtraits of Gibralter. In fine, if a profeſſion is to be valued, from the rank of perſons, that of a merchant may claim a very different idea from what too many of our high-flown nobility are found to harbour of it, monarchs themſelves not thinking it beneath them: to paſs over Aſiatic and African princes, who traffic with the Europeans, ſometimes by their miniſters, and ſometimes in perſon. The king of Portugal is known to carry on an immenſe trade to both the Indies, as appears by the publick accounts of the cargoes of their Goa, and Brazil fleets; and this occaſions, in that little kingdom, an affluence and circulation of money, incomparably beyond what is ſeen in Poland, though above four times its extent; a ſtriking inſtance of the ad-

vantages of commerce, but the deſpotiſm of the nobility of this kingdom will be an eternal bar againſt any conſiderable traffic, which can breathe only in a free air. Likewiſe if we turn our eyes to Ruſſia, we ſhall there find the crown, to have reſerved to itſelf many beneficial branches of trade, as the ſale of firs, ſalt, tar, oil, &c. and leaf-tobacco, which is all made into ſnuff, the Ruſſians conceiting ſmoaking to be a hainous ſin. The crown is alſo proprietor of the Siberia trade, which moſtly conſiſts of firs, and of that to China, of which Rhubarb makes the moſt conſiderable article, and this is chiefly bought up by the Engliſh.

The celebrated Coſmo of Medicis, who was imagined to be poſſeſſed of the philoſopher's ſtone, was the moſt conſiderable merchant of his time, and the gallery at Florence remains a moſt invaluable monument both of his riches and magnificence; his ſucceſſors have not entirely declined that ſcource of wealth; but if the reports of ſome travellers

travellers be true, this diſpoſition to trade is carried too far. The gentry *, ſay they, ſell their own wines by retail out of doors, though not in their houſes, and even hang out a broken flaſk for a ſign, at their court-gates: their cuſtomers however come no further than the cellar-window, where they take and return the flaſks to the butler without diſturbing the houſe; at the ſame time they look upon it as a great diſparagement to educate their children in the profeſſion of phyſic, a practice which I don't queſtion will appear as laughable, as that ſhift of the Poliſh gentry not long ſince, if not ſtill, to put ſifted chaff into their boots inſtead of ſocks. Many of the Italian princes

* However, to preſerve the purity and ſpendor of noble families, an ordinance has been lately iſſued at Florence, by which the parents, or relations of a lady who ſhall forget herſelf ſo far, as to marry a perſon who is not noble, are empowered to ſhut her up in a nunnery for life. And the perſon guilty of ſuch a treſpaſs againſt nobility, is condemned to the gallies for life; and all perſons, who were inſtrumental in the match to ſuffer a long impriſonment, or to pay a heavy fine, according to the parts they acted in it.

are the principal merchants of their ſtates, and think it no manner of diſcredit, to turn a part of their palaces into warehouſes. A traveller of diſtinction in our own country, Mr. Nemeitz, relates, that at Leipſic, he had a draught given him upon prince Palaviſini, at Rome, which his highneſs himſelf paid him in his counting-houſe.

The Engliſh, among whom merchandize was in as little eſteem, as among the Germans, are now grown ſo wiſe, that commerce is not thought beneath younger ſons of the beſt families; and what has been the conſequence of this countenance given to trade? Commerce, ſays Mr. Voltaire, in his letters on the Engliſh, has ſecured the Engliſh in their liberties, and their liberty has promoted their trade; ſuch is their wealth and power, that it would take up no long time to ſend an hundred ſtout ſhips to ſea, the number of their navy conſiſting of above two hundred. Poſterity will hardly conceive how a ſmall iſland, whoſe chief commodities

are

are lead, tin, coal, wool, and corn, ſhould by trade attain to ſuch a degree of power as to ſend three conſiderable ſquadrons to three very diſtant parts of the world; which yet was ſeen in the year 1723; one at Gibraltar for the ſecurity of that important place, another at Porto Bello, to prevent the American treaſure from being brought to Spain, thereby baffling all the deſigns of the king of Spain againſt them; and the third was in the Baltick, to preſerve the tranquillity of the North. At the ſame time that the earl of Oxford, was at the head of affairs in England, his brother was a factor at Aleppo; likewiſe if lord Townſend was reſpected in the parliament as ſecretary of ſtate, his brother was no leſs regarded in the city as a merchant. In the dedication of Zara, he thus addreſſes Mr. Faulkner, an Engliſh merchant.

" Je jouis du plaiſir de pouvoir dire " a ma nation, de quel oeil les negocians " ſont regardés chez vous, quelle eſtime " on ſait avoir en Angleterre pour " une

" une profeſſion qui fait la grandeur de
" l'etat, et avec quelle ſuperiorité quel-
" ques uns d'entre vous repreſentent leur
" patrie dans le parlement & ſont au rang
" des legiſlateurs ; nous avons chez nous
" des perſonnes qui penſent de même
" ſur le traffic : La nobleſſe, dit l'auteur
" des reflections politiques ſur les fin-
" ances, dont une ſi grande partie reſte
" oi ſive dans les chateaux ſe croirât elle
" donc plus utile a l'etat, plus brave
" et plus belliqueuſe que ces negocians
" militaires que ces heros bourgeois ? et
" voici comment M. de la Rocque dans
" ſon traité de la nobleſſe, parle du traf-
" fic : le traffic eſt aſſeurément l'unique
" moyen de guarantir les gentilshom-
" mes d'une pauvrete inevitable, en la
" quelle pluſieurs tombent, faute de pa-
" trimoine ſuffiſant pour entretenir ho-
" norablement leur famille. Les maiſons
" nobles où il y a peu de biens peuvent
" par la les augmenter. Celles qui ſont
" affoiblies par les accidens qui travail-
" lent, cette vie, reprendroient leur
" premier luſtre par les richeſſes bien
" acquiſes

"acquiſes, ſans qu'on leur put reprocher
"avec raiſon d'avoir degeneré ou derogé
"a la nobleſſe de leur race."

"It muſt (continues he in his letters)
"appear exceeding ſtrange to a Ger-
"man, infatuated with his Geneologi-
"cal Table, that the ſon of a peer of
"Great Britain ſhould be but a burger,
"ſcandalous! whereas, in our Ger-
"many the ſons of princes are princes;
"but thirty of ſuch highneſſes *, and
"all

* Mr. Voltaire has ſome particulars on titles which I hope will not diſpleaſe the reader. "If "you are but little known at Paris, you may be a "count, or a marquis, as long as you pleaſe, but "were you a lawyer, or a farmer of the revenues, "and the king ſhould give you a real marquiſate, "you would never on this account be eſteemed a "marquis. The celebrated Samuel Bernard was "more a count, than five hundred counts we call "ſuch, though they do not poſſeſs four acres of "land, the king erecting his eſtate of Cubert into "a good earldom, and yet, if on a viſit, he had "ſent in word as count Bernard, the company "would have burſt out a laughing.

"In France the monſeigneur is a terrible affair; "a biſhop before the cardinal de Richelieu's time "was only My moſt reverend father in God; but "when Richelieu was ſecretary of ſtate, and ſtill "biſhop of Lucan, his brethren, the biſhops, that "they might not give him this excluſive title of "mon-

" all of one title, have been known, " who inſtead of ſuitable wealth and " behaviour, had only a coat of arms,

" monſeigneur, which the ſecretaries of ſtate be- " gan to aſſume, agreed to give it to themſelves. " This enterprize met with no oppoſition from " the publick, but as it was a new title which the " king had not granted to biſhops, they were ſtill " called in the edicts, declarations, and every " thing that proceeded from the court, only ſieurs, " and the members of the council, in writing to a " biſhop, only called him monſieur.

" The dukes and peers have had a great deal " of difficulty in putting themſelves in poſſeſſion of " the title, monſeigneur. The great nobility, " and what is called the grand robe, have openly " refuſed them this ſmall diſtinction. The utmoſt " ſucceſs human pride can meet with, is our re- " ceiving titles of honour from thoſe who think " themſelves our equals, but it is very difficult to " arrive at this point; becauſe we every where " find, that pride combats pride, when the dukes " required the poor gentlemen to ſtile them mon- " ſeigneur, the preſidents demanded as much from " the counſellors and attorneys, and we have " known a preſident who would not be let blood, " becauſe his ſurgeon ſaid, " Sir, in which arm " would you have me bleed you?' There was an " old counſellor who choſe to be treated with " greater freedom. A pleader ſaid to him, my " lord, the gentleman your ſecretary, on which " the counſellor ſtopping him ſhort, cried, 'You ' have committed three blunders in three words: ' I am not a lord; my ſecretary is not a gentle- ' man; he is my clerk.'

" and

"and (intolerable haughtineſs!) I have "even known ſome French lords boaſt "of having German barons in their "ſtables." But Mr. Voltaire, with ſubmiſſion to all his literary reputation, for, of moral, his ſhare is not larger than that of too many others, here talks like a Frenchman; all the accounts of that nation, concerning our manners and regulations, are rather the products of a prejudiced imagination, than of a judicious enquiry into truth. Thirty princes all of one name, and pennileſs, is a poetical flight; 'tis ſtrange that even he, during all his long ſtay at Berlin, ſhould not know the real meaning of *Alteſſe* in Germany. I appeal to all men of ſenſe, whether a free gentleman of the empire, inveſted with the privileges and prerogatives of ſovereignty, be not in reality ſuperior to a French count, marquis, and duke, thoſe being no leſs ſubject to their arbitrary monarque than their oppreſſed tenants. The French, in the generality, place us in a ſtill more deſpicable light, *c'eſt un allemand*, is a known phraſe of contempt among

among the French. Cardinal Perron, and father Bouhours, made a formal queſtion, Whether it was poſſible for a German to be a man of wit? but this and the like impertinencies have been ſmartly refuted by Cramer, in his *Vindiciæ nominis Germanici contra quoſdam obtractatores Gallos.* According to ſome French writers, we are naturally void of any aptitude for ſcience or literature. The author of the Bibliotheque raiſonée, has theſe words, " All which, Germany and " the North have produced, does not ſo " much as deſerve the name of hiſtory, " what is their celebrated Puffendorff? " if his work is ſtill in being, it is " wholly owing to M. de la Martiniere's " improvements of it, being origi- " nally but a dry, injudicious, con- " fuſed heap of rubbiſh, full of errors, " without any one thing that bears the " noble ſtamp of hiſtory." Now, conſult the learned of other nations, they all admit this erroneous ſcribbler, this Puffendorff, to be a model of a true hiſtorian: beſides, has this defamer never

never heard of count Bunau, and Mr. Maſcou. Have the names of Baumgarten and Spener never reached his ears; but we may ſit down the more eaſily under ſuch a charge as he involves the Engliſh in it, a nation whoſe excellency in ſolid literature is acknowledged by the whole republic of learning; it is in no other words than theſe that he preſumes to talk of them, "England was unable "to furniſh a man equal to the taſk of "writing a full and regular hiſtory of "it; this was reſerved for a French Re-"fugee *." How! has he never ſeen Burnet's hiſtory of the Reformation, or of his own times, which laſt Comines himſelf would not be aſhamed to own: but to ſtrike him dumb at once, what does he think of that arduous, elaborate and incomparable work, The Univerſal Hiſtory, which even his own nation condeſcend to read with applauſe; but for Frenchmen, without underſtanding a word of the language, to cenſure German writings, is juſt as rational as for a blind man to expreſs his diſlike of a colour. I M.

* Rapin's Hiſtory of England.

M. le Maſcrier ſpares neither ancients nor moderns; of the ancient hiſtorians he is pleaſed to ſay, "they were Gre-"cians, that is, credulous men and liars, "this is the peculiar characteriſtic of "that nation, proceeding from their "levity and inclination to the fabulous "and marvellous, which has diſtin-"guiſhed it from other nations, and at "all times will diſtinguiſh it." To which he adds the following no leſs remarka-ble paſſage. "I beg leave on this occa-"ſion to do juſtice to my own country. "The French are naturally vain and "conceited, and perhaps have more ſelf-"love than is to be met with in all "other nations taken together. Yet, "notwithſtanding thoſe bad qualities, "no nation has ever produced more "credible hiſtorians: De Thou and "Mezeray will in this reſpect, be ſtand-"ing patterns worthy our imitation." I muſt obſerve, of the only two hiſto-rians, which this author had to produce, that he could not be ignorant how much the former is contradicted by the many writers of the *holy league* in France, and the

the latter by the eloquent father Daniel, whoſe ornaments of ſtyle, I own, put me upon my guard againſt him. And as to the vain compariſon he makes of his countrymen with other nations, he may be the rather indulged in this, as, probably, he may not have read many foreign hiſtorians; but if the French, notwithſtanding their vanity, conceit and ſelf-love, which our author has prevailed upon himſelf to acknowledge, may yet have hiſtorians worthy of credit, and a pair of examples be ſufficient to proxe this; where is the nation without two ſuch? Had not Greece, lying, fabulous Greece, its Thucidides and Xenophon. I take the liberty to ſay, that many French authors, on particular parts of ancient hiſtory, manifeſtly ſhew they were not qualified to make uſe of the proper ſources.

One author, *M. de Claville*, in his *Traité du Vrai Mérite*, has been ſo particular as to do juſtice to our ladies, even at the hazard of affronting thoſe of his own nation. "Had I, ſays he, told any Ger-

"man ladies that *to love* is the prettieſt "of all the French verbs, that *tenderneſs* "and *beauty* are the richeſt ſubſtantives "in our language, and that *eternal* con- "ſtancy is an adjective of all others the "moſt rare, they would have ſmil'd, and "I ſhould have been looked upon as a "gallant kind of maſter; but had I ſaid "to our ladies, all things are ſo many "ſubſtantives, the adjective expreſſes "the quality of the thing, and eſpecially "were I to add, that two adjectives can- "not form a ſubſtantive, they would "ſneer at me; and my name ever "after would be *book-wit*. Let me not "be ſuſpected of any ſpleen againſt, or "a mean opinion of the French nation "in general."

Non obtuſa adeo geſtamus pectora.

It is with a kind of veneration that I reflect on their academies every day, producing ſuch glorious fruits; the delight I have received from Racine, Lamot, Crebillon, Sevigny, Duclos, &c. and the benefit I have reaped from Deſlandes, Maupertuis, Cheminay, &c. call for my gratitude. I cannot but reſpect,

ſpect, even that country, which has produced a Fenelon, but it was a zeal to invalidate the conceited petulences of ſome French writers, which drew me into this long digreſſion, and having mentioned the celebrated name of Fenelon, I ſhall conclude with an anecdote *. Having thus, and, I own, perhaps too prolixly, exhibited the general and par-

* On this book the duke of Devonſhire thus delivers his ſentiments, though the good Archbiſhop's enemies at length compaſſed their ends and he retired to Cambray.

Cambray, whilſt of ſeraphic love you write,
The nobleſt image in the cleareſt light!
A love, by no ſelf-intereſt debas'd,
But on th' almighty's high perfection plac'd!
A love, in which true piety conſiſts,
That ſoars to heav'n without the help of prieſts!
Let partial Rome the great attempt oppoſe,
Support the cheat from whence her income flows,
Her cenſures may condemn but not confute,
So well your elevated notions ſuit,
With what to reaſon ſeems th' almighty's due:
Th' enraptur'd ſoul feels your ideas true.

Several prelates paſſionately exclaiming to pope Innocent XII. againſt the archbiſhop's book on *divine love*, then juſt publiſhed, and inſiſting that, a public ſentence ought to be paſſed againſt it and the author; his holineſs, who beſides a high eſteem for M. Fenelon, was not ſo extremely offended at the piece, diſmiſſed their eminences with this anſwer, *Peccavit exceſſu amoris divini ſed vos peccaſtis defectu amoris proximi.*

ticular advantages of trade, and ſhewn that in civiliz'd countries, perſons of the higheſt rank, follow merchandize, I think I cannot better conclude this panegyrick on commerce, than with an extract from a foreign writer, who ſeems maſter of his ſubject, and entertains while he writes; and his poſitions will hold good every where. It is foreign trade that is the main ſheet of our nation, without which the genius of all our uſeful ſtudies, and the abilities which render men famous and renowned, would make them uſeleſs and inſignificant to the publick. When man has fathomed the bottom of all knowledge, what is it if not reduced to practice, other than empty notion? if the inhabitants of this iſland were learned in all languages between the riſing and ſetting of the ſun, did know, and underſtand the ſituation of all places, ports, and countries, and the nature of merchandize and commodities, were acquainted with the order and motion of all the ſtates, knew how to take the latitude,

latitude, and longitude, and were perfectly read in the art of navigation, to what purpoſe would all be, if there were no foreign trade? We ſhould have no ſhips to navigate to thoſe countries, nor occaſion to make uſe of thoſe languages, nor to make uſe of thoſe commodities; what would this iſland be but a place of confinement to the inhabitants, who, without it, could be but a kind of hermits, as being ſeparated from the reſt of the world: it is foreign trade that renders us rich, honourable, and great, that gives us a name and eſteem in the world; that makes us maſters of the treaſures of other nations and countries, and begets and maintains our ſhips and ſeamen, the walls and bulwarks of our country: and were it not for foreign trade, what would become of the revenue for cuſtoms, and what would the rents of our lands be? The cuſtoms would totally fail, (the following article I would particularly recommend to the conſideration of thoſe *lillies* of our nobility, who would not

ſoil their delicate hands, by touching a caſk or a bale) and our gentlemens rents of thouſands per annum would dwindle into hundreds. A country, however fruitful the ſoil, however ingenious the inhabitants, would be in very little better condition, than that of Italy, ſo beautifully deſcribed in the following lines,

How has kind heav'n adorn'd the happy land,
And ſcatter'd bleſſings with a laviſh hand!
Yet what avail her unexhauſted ſtores,
Her blooming mountains, and her ſunny ſhores,
With all the gifts, that heav'n and earth impart,
The ſmiles of nature, and the charms of art,
While proud oppreſſion in her vallies reigns,
And tyranny uſurps her happy plains.
The poor inhabitant beholds in vain,
The red'ning orange and the ſwelling grain,
Joyleſs he ſees the growing oils and wines,
And in the myrtles fragrant ſhade repines,

Starves

Starves in the midſt of nature's bounty curſt,
And in the loaden vineyard dies for thirſt.
But trade and liberty crown our happy iſle,
Make its bleak hills and barren mountains ſmile.

Our wiſe king Alfred knew too well the immenſe advantages of trade to any kingdom, not to do every thing, which lay in his power, for promoting the progreſs and improvement of it amongſt his ſubjects; to this purpoſe therefore he invited over ingenious foreigners from all parts of the continent, to inſtruct his people in thoſe uſeful arts and ſciences, with which hitherto they had been but little acquainted; he encouraged them by large rewards, extenſive privileges, and with land to carry on their deſigns; and that no motive might be wanting that would contribute to his great ſcheme, to work upon the ambition of the more eaſy, he cauſed a law to be made which conferred the honour of king's Thane *, upon

* The import of this word, is explained by *Noble* in the following charter of William the conqueror. William

upon thoſe merchants who ſhould croſs the ſea three times at their own expence. This excellent prince, we may juſtly ſtile

"William the king, friendly ſalutes William the biſhop, and Swayne the ſheriff, and all my Thanes (or *nobles*) whom I hereby acquaint; that purſuant to an agreement, I have granted to the people my ſervants, the hyde of land, at Gydeſdune, in eaſt Saxony (now Gadſden in Hertfordſhire,) and alſo that I will not ſuffer either the French, or the Engliſh to hurt them in any thing." To which I ſhall add from Lambert's preambulation of Kent, as quoted in Squire's Eſſay on the Anglo-Saxon government; where, ſpeaking of one Bythrick, a very rich man of this province; he tells us, he was a Thane, which word, ſays he, ſignifieth properly a miniſter, or free ſerviture to the king, or to ſome great perſonage. But uſually at thoſe times, taken for the very ſame that we call now of the Latin word (*gentilis*) a gentleman, that is, a man well-born, or of a good ſtock and family. Neither doth it detract, any thing from his gentry at all, that I ſaid he was a miniſter or ſerviture; for I mean not thereby, that he was *ſervus*, which word (ſtraitly conſtrued) doth ſignify a ſervant or ſlave, whom they in thoſe days called by a quite different word: but my mind is, that he was a ſerviture of a free condition either advanced by his own virtue and merit, or elſe deſcended of ſuch anceſtors as were never degraded; and that name the prince of Wales, or eldeſt ſon of our king, of this realm, doth not in the life of his father, diſdain to bear, for out of the very ſame old word (*denian* or *thenian*) to ſerve, is framed his poeſy, or word upon his arms, (*Ic dien*, or *thien*) I ſerve. The like whereof is upon the arms of the counties palatine of Cheſter, and Durham alſo.

the

the founder of the British commerce. At this time were ſown the ſeeds of Britiſh traffic, which has ſince grown up and extended its branches, far and wide, overſhadowing the whole kingdom with its benign influence; theſe diſperſed merchants and artificers, he formed into regular ſocieties or boroughs, each trading borough, under its reſpective officers, becoming reſponſible for the orderly behaviour of its members, and theſe boroughs being poſſeſſed of certain tracts of land, had a vote in the *wittena gemot*, the poſſeſſion of land appearing to be the original right of election, or repreſentative among the commons; as it is ſtill in Friezland, the ſeat of our Gothic or Saxon anceſtors. And, I believe, there may poſſibly be inſtances produced (the profit of trade and commerce being found to be very great) of ſome of the kings of England, and great landholders, ſetting up trading towns and ſocieties, of their own ſervants and vaſſals, and inſtituting tolls, cuſtoms, &c. I ſay again, it cannot be too often repeated,

repeated, infinite are the advantages of foreign commerce, in augmenting the power of the ſtate, as well as the riches and happineſs of the ſubjects. It increaſes the ſtock of labour in the nation; and the ſovereign may convert what ſhare of it he finds neceſſary to the ſervice of the public. Foreign trade, by its imports, furniſhes materials for new manufactories; and, by its exports, it produces labour in particular commodities, which could not be conſumed at home. In ſhort, a kingdom that has a large import or export, muſt abound more with labour, and that upon delicacies and luxuries, than a kingdom which reſts contented with its native commodities. It is, therefore, more powerful, as well as richer and happier. The individuals reap the benefit of theſe commodities, ſo far as they gratify the ſenſes and appetites. And the public is alſo a gainer, while a greater ſtock of labour is, by this means, ſtored up againſt any public exigency; that is, a greater number of laborious

men

men are maintained, who may be diverted to the public ſervice, without robbing any one of the neceſſaries, or of even the chief conveniencies of life *.

I

* In anſwer to the charge of ſome moraliſts againſt foreign commerce, as not to be ſupported without luxury and refinements, and conſequently promotive of cowardice and corruption, from the example of ancient Rome, which, joining, to its poverty, and ruſticity, virtue and public-ſpirit, roſe to ſuch a ſurpriſing height of grandeur and liberty; but having learned from its conquered provinces, the Grecian and Aſiatic luxury, fell into every kind of corruption; whence aroſe ſedition and civil wars, attended at laſt with the total loſs of liberty. Miſtaken honeſt men! the diſorders in the Roman ſtate, aſcribed to luxury and the fine arts, really proceeded from an ill-modelled government, and the unlimited extent of conqueſts; luxury, or refinement on pleaſure, has no natural tendency to beget venality and corruption. The value which all men put upon any particular pleaſure, depends on compariſon and experience. Nor is a porter leſs greedy of money, which he ſpends on bacon and ale, than a courtier, who purchaſes champagne and ortolans. Riches are valuable at all times and to all men, becauſe they always purchaſe pleaſures, ſuch as men are accuſtomed to and deſire; nor can any thing reſtrain or regulate the love of money but a ſenſe of honour and virtue, which if it be not nearly equal at all times, will naturally abound moſt in ages of luxury and knowledge. Of all European kingdoms, Poland ſeems the moſt defective in the arts of war, as well

as

I have dwelled the longer on this head of merchandize, from a deſire of exploding every falſe and pernicious notion out of my country, as is the contempt of merchandize among many of our nobility; in ſome proceeding from the pride of birth, and in others from an exceſs of ſpirit, as if trade debaſed the mind, and merchants, as has been but falſely ſaid of the learned, were cowards by profeſſion. As to the former, I ſhall only relate the ſtory of an Italian-painter, in drawing the picture of a gentleman who peſtered all companies with continual boaſtings, of his being deſcended from the moſt illuſtrious families of ancient Rome: This inventive artiſt gave him a huge noſe, as an indication of his being iſſued from the Naſones, and further upon this noſe was

Story of an Italian painter.

as peace, mechanical as well as liberal, and yet 'tis there that venality and corruption moſt prevail. The nobles ſeem to have preſerv'd their crown elective for no other purpoſe, but regularly to ſell it to the higheſt bidder. This is almoſt the only ſpecies of commerce, with which that people are acquainted.

Hume's eſſay on commerce.

repre-

repreſented a grey pea, to ſhew him deſcended from the Cicerones; a frightful pair of blubber-lips, were the hereditary mark of the Labeones; long teeth, repreſented thoſe of Curius Dentatus; ſquinting eyes, denoted that he was of the blood of the Strabones; a large prominent forehead, was the diſtinction of the Frontones; his hair, of a flaming red, declared him of kin to the Rutilii; and its entangled buſhineſs, that he had in him ſome of the blood of the brave Cincinatus; an eye put out, beſpoke him to have had the Cocclites for relations; the bandy legs, ſhewed him of the poſterity of the celebrated Valgi; his broad flat feet, intitled him to reckon the Plauti among his anceſtors; his crooked fingers were the diſtinction of the Falcones; and his having ſix fingers on one hand, was an undeniable ſign of his extraction from Sedigitus. This monſtrous picture was an emblem, that this gentleman had the vices of thoſe families from which he boaſted his extraction, without any of

thoſe

thoſe virtues by which they had acquired their opulence, and honour.

Sieges of Tyrus.

The latter, who hold bravery to be incompatible with commerce, may be convinced of their error from the nature of things, confirmed by innumerable hiſtorical inſtances, of which I ſhall produce one or two. The city of Tyre, which, for commerce and ſplendor, makes the moſt glorious figure of any in all the monuments of hiſtory, underwent many ſieges, the firſt was againſt Nebuchadnezzar, ſecond ſon to that Nebuchadnezzar who deſtroy'd Jeruſalem, and the ſame who dreamt the dream of the four monarchies. He marched againſt it with an army, little inferior to that with which Xerxes invaded Europe, and after immenſe trouble and bloodſhed, in a ſiege of thirteen years, all he obtained was, a heap of ſtones and ruins; for the inhabitants of Tyre, ſuperior to all adverſities, at the ſame time that they vigorouſly defended their city during the ſiege, ſet about

about building another, in an iſland not far from the continent, to ſecure their immenſe treaſures, and their perſons, the conqueror not being in a condition to attack them there, for want of a fleet; ſo that when that mighty monarch, whom Ezekiel ſtiles king of kings, entered the forſaken city, he found nothing to reward his ſoldiers for the long fatigues they had undergone: this is evident from Ezek. xxix. 18. where 'tis ſaid, "Nebuchadnezzar king of Babylon, cauſed "his army to ſerve a great ſervice againſt "Tyrus, every head was made bald, "and every ſhoulder was peeled, yet "found not he, nor his army, any re-"compence in Tyrus for the ſervice he "had ſerv'd againſt it." The ſecond ſiege was by Alexander the great, irritated at the refuſal of the Tyrians to admit him into their city after all Syria and Phenicia had ſubmitted to him; it was impoſſible for his arms to make their approach to this inſolent city, any otherwiſe than by carrying a mole from the continent. For this great work he

ſummoned all the inhabitants of the neighbouring places; the ruins of old Tyre furniſhed him with ſtones, and mount Libanus with timber. The Tyrians, who at firſt looked upon this undertaking as raſh and impracticable, ſeeing the mole begin to appear above water, were under ſome apprehenſions, but apprehenſions which only ſerved to inflame their courage. They ſent out boats full of ſlingers, archers, &c. who galled the workmen ſo that they were obliged to give over their labour; upon this, ſkins and ſails were ſpread to cover the workmen, and two wooden towers raiſed at the head of the mole, to prevent the approaches of the enemy; but the Tyrians filling a veſſel with combuſtibles, and towing it with intrepid reſolution to the head of the mole, ſet on fire theſe towers and other works of the Macedonians, the Tyrians continually hurling fiery darts, torches, ſtones, and javelins, by which great numbers of Macedonians periſhed in a miſerable manner, reinforcements at the ſame time were

were ſent from the city to tear down the piles that ſupported the mole, and to burn the reſt of the engines, Alexander now ſenſible that it would be extremely difficult, if not utterly impoſſible to compleat the mole, or take the city, without a naval force ſuperior to that of the Tyrians, aſſembled two hundred ſtout gallies which rendezvouſed before Sidon. On this fleet Alexander embarked with ſome choice troops, and the Tyrians were at firſt determined to give battle, till it was thought more adviſeable that their gallies ſhould remain in the harbour to keep off the enemy, and Alexander himſelf found it impoſſible to force the port. Now the mole, under the ſhelter of the fleet, is carried on with the utmoſt alacrity, and tho' the beſieged exerted themſelves with the greateſt bravery, it was at length brought ſo near the walls of the city, that the Macedonians began to batter it; the Tyrians determined to ſtand the very laſt extremity, ſent their wives and children to Carthage, embracing and weeping over them with

the ſofteſt tenderneſs: this afflictive ſeparation ſeemed afterwards to add fury to their courage, they made ſeveral ſallies on the ſea, and cut the cables of the enemy's ſhips, and once ſunk and burnt above fifty of the Cyprian gallies; at length the wall began to yeild to the uninterrupted batteries of the enemy's rams*; whereupon the beſieged with incredible diſpatch and daringneſs raiſed

* The ram was a vaſt long beam, like the maſt of a ſhip, ſtrengthen'd at one end with a head of iron, ſomething reſembling that of a ram, whence it took its name. This is hung by the middle with ropes to another beam, which lies acroſs a couple of poſts; and, hanging thus equally balanced, is by a great number of men violently thruſt forward, and drawn backward, and ſo ſhakes the wall with its iron head. Nor is there any tower or wall ſo thick and ſtrong, as to reſiſt the repeated aſſaults of this forcible machine.—But this engine did moſt execution when it was mounted on wheels, which is ſaid to have been firſt done at the ſiege of Byzantium, under Philip of Macedon. Plutarch tells us, that Mark Antony in the Parthian war, uſed a ram eighty foot long; and Vitruvius aſſures us, they were ſometimes a hundred and ſix, ſometimes a hundred and twenty foot in length; to which, perhaps, the force of the engine was in a great meaſure owing. The ram was managed by a century of ſoldiers at a time, who were relieved when weary by another century; ſo that it play'd without any intermiſſion.

a new rampart ten cubits broad, however Alexander at laſt made a ſecond breach, but when he came to the aſſault, the Tyrians gave the Macedonians ſuch a warm reception, that notwithſtanding the preſence of the enraged king, they were beat off with great loſs, and the indefatigable Tyrians entirely repaired the breach in the night; hereupon, he changed his meaſures, and having brought the mole quite home to the wall, he cauſed ſeveral towers to be built upon it, equal in height to the battlements; theſe towers he filled with the braveſt of his ſoldiers, who forming a bridge of large planks, with one end on the tower, and the other thrown on the ramparts, endeavoured to enter the town, but were again repulſed by the Tyrians, who in this attack made uſe of a new contrivance of burning-ſand; this ſand was thrown among the enemy in red-hot ſhields of braſs, and getting within their coats of mail tormented them to ſuch a degree, that many caſt themſelves into the ſea, others tearing off their

cloaths and armour left themſelves naked and defenceleſs: and now the Tyrians quitted their wall, and charged the enemy hand to hand upon the bridges, with ſuch fury, that Alexander himſelf ordered a retreat to be ſounded; theſe attacks were frequently renewed, and always ſuſtained by the Tyrians, with ſuch vigour, that Alexander began to think of abandoning his enterprize, but a concern for his reputation determined him to make a laſt effort. Having given his forces two days reſt, he advanced with his fleet and engines to attempt a general aſſault; and now the action, if poſſible, became more furious than ever; the Tyrians ſaw reſt and glory before them, if they repelled this attack; the Macedonians, on the other hand, were animated by the preſence and example of Alexander, and he it was, who, at the head of his nobility and body-guards, firſt got poſſeſſion of the rampart. At the ſame time, the rams had made ſeveral breaches, the fleet had forced into the harbour, and the Macedonian troops had got

got into the city on that ſide, ſparing none who came in their way, being exaſperated at the long reſiſtance of the beſieged. The Tyrians thus over-powered, ſome prevented the enemy's weapons by a voluntary death, others more gallantly ſold their lives at the deareſt rate; for Alexander had given orders, to put all the inhabitants to the ſword, and ſet fire to every part of the city; and thus Tyre whoſe merchants in the ſcripture-phraſe "were princes, and whoſe traffickers were the honourable of the earth, was burnt to the ground," the ſanguinary conqueror cauſed two thouſand of the moſt conſiderable of the remaining inhabitants, to be crucified * on as many croſſes, erected along

* Crucifixion was a puniſhment among the ancients, ſeldom inflicted on any but ſlaves, or the meaneſt malefactors; but we find ſome examples of a different practice: and Suetonius particularly relates of the emperor Galba, that having condemn'd a Roman citizen to ſuffer this puniſhment for poiſoning his ward, the gentleman, in his way to the place of execution, made grievous complaint that a citizen of Rome ſhould undergo ſuch a ſervile death, alledging the laws to the contrary. The emperor, hearing his plea, pro-

along the ſhore, and this for what ſhould have charmed him into clemency, for their unwearied bravery in defence of their country. However he ſpared Azelmic the king, and drawing colonies from the neighbouring cities, repeopled the place. Yet after this dreadful cataſtrophe, within no longer than nineteen years, we find Tyre ſtanding a fifteen months ſiege againſt Antigonus, and at laſt obtaining an honourable capitulation; but at preſent, by the viciſſitudes of time, it is

miſed to alleviate the ſhame of his ſentence, and ordered a croſs much larger and more neat than ordinary to be erected, and to be waſhed over with white paint, that the gentleman who ſtood ſo much upon his quality, might have the honor to be crucified in ſtate.—Sozomen obſerves, that Conſtantine the firſt, made a law to aboliſh the puniſhment of the croſs, which had obtain'd among the Romans till his time. Something of ſuch a delicacy appear'd in Lord Stourton, who, having in the reign of queen Mary the firſt, killed a gentleman and his ſon at his own table, and thereby forfeiting the uſual favour of being beheaded, petitioned that he might be hanged in a ſilken halter, but when his friends preſs'd for his burial in Saliſbury cathedral, the good biſhop would not allow it unleſs the ſilken halter was placed over his tomb, as a monument of his crime; and to this day inſtead of a halter, hangs a wire.

only

only a ſcene of ruin and deſolation, broken walls, fragments of pillars, and vaſt heaps of rubbiſh, the only thing of any note ſtanding being the eaſt-end of a great church, which is conjectured to have been the cathedral of Tyre, in the chriſtian times, when this city was an archbiſhop's ſee. Its inhabitants conſiſt of a few poor fiſhermen, ſheltering themſelves in the cavities of the ruins, a ſignal accompliſhment of the propheſy againſt this luxurious city, "that it ſhould be like the top of a rock, a place for fiſhers to ſpead their nets upon," Ezek. xxvi. 14. I have entered into a larger detail of this ſiege, not only as it is one of the moſt celebrated particulars of military hiſtory, but as it likewiſe cannot fail of being highly entertaining to the warlike imaginations of thoſe perſons, whom I would bring into a more advantageous opinion of the mercantile claſs.

Siege of Dantzic.

Our own times have ſeen a commercial city diſtinguiſh itſelf by courage and fidelity, I mean Dantzic, when beſieged

ſieged in 1734, by a vaſt army of Ruſſians. King Staniſlaus had with him eight thouſand regular troops, and the citizens to the number of twenty thouſand, armed themſelves to oppoſe the enemy, five hundred men wrought night and day, to fortify two paſſes. The Ruſſians in order to compel them to a ſpeedy ſurrender, fell to bombarding, and firing red hot balls, but in vain, no ſufferings cou'd diſhearten the Dantzikers, who having invited king Staniſlaus thither, were determined to ſtand by him to the utmoſt; and the Ruſſians making a vigorous puſh with the flower of their army, againſt the moſt important work of this city, were obliged after a ſharp diſpute of five hours, to retire with the loſs of three thouſand men, every day produced ſignal teſtimonies of their undaunted valour; but the Ruſſian fleet, of fourteen large men of war, arriving in the road, and their army being thus ſupplied with ammunition, and artillery, renewed the bombardment with the utmoſt fury, in which the chief magazine

of

of gunpowder in Dantzic blew up. This, with the capitulation of the French auxiliaries, brought the Dantzikers to a neceſſity of ſubmitting, yet this they never would have done, had not king Staniſlaus, in compaſſion to their bravery, withdrawn himſelf out of the city, as the ſurrender of his perſon was the firſt article demanded by the enemy, and which the Dantzikers had rejected with diſdain. The fidelity and reſolution of this city, cannot have a better vindication than from king Staniſlaus for whom they fought; who thus expreſſes himſelf in a letter to cardinal Fleury. "I am ſenſible, that it has been "thought imprudent in me, for continuing in that city, till it was reduced "to the laſt extremity, but when acting "from principles of conſcience, of honour, and our country's love, may we "be allow'd to arm ourſelves againſt "danger, and to prefer the ſecurity of "our perſons to thoſe three principles, "which conſtitute the man of honour? "For beſides that I expected ſuccours

"daily

" daily, and a haſty retreat would have
" put me out of condition to receive
" them, I ſhould by my leaving Dant-
" zic, have open'd the gates of it to the
" enemy, the magiſtrates holding out
" the ſiege from no other motive than
" to defend me. Thus laying aſide the
" vanity which a conſciouſneſs of reſo-
" lution and intrepidity might inſpire,
" I was oblig'd either to continue in the
" city, in order that the expected ſuc-
" cours might have time to arrive, or
" bury myſelf in the ruins of it, with
" thoſe brave citizens, and thoſe dear
" Poliſh friends, who with their wives
" and children ſhar'd my fate. I per-
" ſiſted in this till the infamous ſurren-
" der of Wechel Munde, the capitulat-
" ing of which, forc'd the Dantzikers,
" with my conſent, to provide for their
" own ſafety: upon which occaſion, find-
" ing they were going to change their
" ſovereign, I thought myſelf bound in
" gratitude, not to expoſe them to the
" grief of abandoning me, but to diſ-
" penſe with their fidelity by my leav-
" ing

" ing their city, which, how deſperate a " reſiſtance ſoever had been made, could " not have held out any longer; not to " mention my being ſollicited by all " the Poliſh noblemen, who made their " ſafety conſiſt in my preſervation."— Having mention'd the red hot balls fired by the Ruſſians into the city, I cannot omit the ſtrange effect of one, as contain'd in a letter, from a burgher-maſter of Dantzic, in the *Opere di Letterati*, " During the laſt ſiege of our " city, whilſt a young woman was ex- " amining what damage had been done " to a ſhop by a cannon bullet, which " had gone through it, another bullet " came; this threw the poor girl into a " ſwoon, that at firſt ſhe was thought to " have been killed by the bullet, but " no damage being perceived on her " cloaths, ſhe was blooded, and brought " to ſome ſigns of life; but, upon put- " ting her into a bed, her ſhift was " found to be full of little ſlits, as if " done deſignedly; and the girl herſelf " had on her back and breaſt ſeveral li-

Remarkable effect of a cannon ball.

" vid

"vid ſpots, and contuſions, as if ſhe "had been cruelly beaten. The ſhop "conſiſted of cutlery and hard ware: A "dozen of knives tied up in a paper, "wrapped together with the handles of "them, were melted together into one "lump, yet the paper and packthread "untouched; whether this bullet was "heated or not is unknown, but this "fact happened after the enemy had "begun to fire red hot balls againſt the "city."

It is no more than natural, that an attempt to deprive us of what has been gained by a long courſe of hardſhips, cares, and dangers, ſhould be oppoſed with the utmoſt courage, from the ſame reaſon as any accidental diminution, or total loſs of it, excites in us the moſt paſſionate emotions; and the ſoldier mentioned in Horace, is no more than what thouſands would have done in his circumſtances.

A common ſoldier, who by various toils,
And perils, gain'd a competence in ſpoils,

At

At night, fatigu'd, while he ſupinely
ſnoar'd,
Loſt to a farthing his collected hoard.
This rous'd his rage, in veng'ance for
his pelf,
Againſt the foe, nor leſs againſt himſelf:
A very wolf, with empty craving maw,
Now whetting keen his wide devouring
jaw;
He charg'd with fury, as the folks re-
port,
Scal'd the high wall, and ſack'd a royal
fort,
Replete with various wealth, for this re-
nown'd,
His name is honour'd, and his courage
crown'd;
Beſides in money he receives a meed,
A ſum proportion'd to the glorious deed.
His chief ſoon after purpoſing to form,
Another ſiege, and take a town by ſtorm,
Began to rouſe this deſperado's fire,
With words that might a coward's heart
inſpire.
Go whether your heroic ſpirit calls,
Go, my brave friend, propitious mount
the walls,

And reap freſh honours with an ample
priſe:
What ſtops your courſe, "The ruſtic
"ſhrewd replies;
"An't pleaſe you, captain, let another
"trudge it,
"The man may venture who has loſt
"his budget."

It is not to be ſuppoſed, but that tho' he declin'd going on the attack, had any one or more attempted to have deprived him of what he had ſo well earn'd, they would have felt him the ſame man, as the garriſon of the fort did. The ſame poet, who was an excellent judge of human nature, in the following lines ſuppoſe merchants be no more deficient in ſpirit than even the ſoldiery themſelves.

Broken with toils, with pond'rous arms
oppreſt,
The ſoldier thinks the merchant ſolely
bleſt,
In oppoſite extreme, when tempeſts riſe,
War is a better choice, the merchant cries;

The

The battle joins, and in a moment's flight,
Death, or a joyful conqueſt, ends the fight.

I ſhall cloſe this chapter with an inſtance, that military ſports, are not incompatible with the diſpoſition of merchants, and which alſo makes much for the honour of that valuable profeſſion, it is from Outreman's hiſtory of Valenciennes, where he deſcribes the ſplendor of the citizens of that place celebrating juſts and tournaments, and exerciſing themſelves in military games and feats of chivalry, both as relaxations from the fatigues and cares of trade, and to fit themſelves for the ſervice of their country. Theſe are his words, "Moſt of the citizens who had a ſuffi-
"cient fund, addicted themſelves to
"merchandize, to which lucre might
"poſſibly be the ſtrongeſt allurement;
"and by this means ſeveral ancient fa-
"milies have ſupported themſelves du-
"ring four or five hundred years, in-
"veſted with the chief employments of
"their city, in an untainted reputation,
"and ſuch ſplendor and magnificence,

" as gain'd them great intereſt with " their princes, and ſuch eſteem among " the nobility, which in thoſe times was " not ſo numerable as at preſent, that " they made no difficulty to intermarry " with them, and tho' many of theſe " ancient ſtems had had a claim to the " ſtile of *noble*, they rather choſe to " be called *honourable*, and in all their " contracts and publick acts, ſigned " themſelves freemen of Valenciennes, " and thoſe among them who were ſim- " ply merchants, were not debarr'd the " races, juſts, and tournaments, and other " exerciſes of the nobility." He afterwards relates the ſtory of Joan Partis, mayor of Valenciennes, who coming to Paris with the earl of Haynant, and going to court, he ſaw cuſhions brought, to all the knights and nobles, who were taken up in chat with the ladies, but no cuſhion was brought to him, it being, by the proud French, accounted a kind of intruſion, that he whom by ſome particulars in his dreſs, they knew to be but a burgher or a merchant, ſhould offer to ſhew himſelf in ſuch a place, he compoſedly

poſedly took off his cloak, and having folded it, ſat down on it, leaving it alſo there at his going away, and the pages of the chamber calling to him, that he left his cloak behind him, he anſwered, That it was not the faſhion in his country to carry one's cuſhion away. Thus leaving to the pages his cloak, which ſold for ſix hundred crowns, being laced with gold, and enrich'd with pearls: this behaviour extremely endear'd him to his fellow-citizens. I inſert his epitaph, both as it proves his admittance, tho' a merchant, to tournaments, and is a ſpecimen of the French language at that time.

Cy giſt li bons Jean Partis,
Le noble bourgeois qui pardi,
Fut de grand ſcience en ſon temps,
Car ſage prudomme & ſentans
Fut toujours tant qu'il fut en cie
Quoi que ſur ly ot mainte envie,
De maint noble homs fut amez,
Et mainte heure à la joute armez.
Riche fut & de noble atour
Et vaint au Prevoſt à ſon tour,

Pluſieurs grans feſtes, forjouſta
Mais la mort â luy s'jouta,
Qui li oſta rentes & chens,
Droit en l'an mille quatre cens,
Et quatre: le vingt trois jours
D'avril or prions ſans ſejours,
Que l'ame de ly ſoit en gloire, &c.

I have the more particularly mentioned the admiſſion of theſe citizens to juſts and tournaments, as it was the privilege only of perſons of high birth and irreproachable character; and of ſuch importance were theſe games, that no perſon of whatever rank, who had not performed at a tournament, was allowed to aſſume a coat of arms.

It might have been further obſerved in favour of the mercantile nobility, that, according to Hericourt, the moſt conſiderable citizens of Liege were ſtiled *ſeigneurs*, and wore the habits of nobility. Meneſtrier further informs us, that the provoſt and four echevins of Lyon, a trading city, are noble by virtue of their office, and that this nobility is he-

reditary and conſiſting with merchandizing and banking. If it were neceſſary to evidence, that courage is not a virtue peculiar to nobility, I might quote at large a paſſage in Ordericus Vitalis, lib. 11. p. 830, on the hiſt. of France, where he charges the nobles with exerciſing ſuch a tyranny in the provinces and towns, and oppreſſing the people with ſuch exactions that they often applied to the throne for redreſs; but in thoſe times when the nobleſſe made war againſt each other, were poſſeſſed of large fiefs*, and built

* A feudatory nobility is a compound of good and evil; the evil is, that their power breeds a refractory ſpirit in them, and that they not ſeldom become the mercenaries of a foreign enemy. The good is, that theſe nobles are, as it were, the bones and firmneſs of eſtates; which, without theſe, would be all flaccid pulp, without nerves or joints; and upon the death of a ſovereign, or ſome extraordinary misfortune in war, might be reduced, ruined, and enſlaved; for the people diſtitute of perſons qualified for command by birth, experience, or abilities, would run into a confuſion of itſelf, enough to fruſtrate all reſiſtance, or patch up a bargain with the enemy. This is known to have been frequently the caſe in Egypt, and two or three ſound defeats would ſhew the like in formidable Turkey itſelf; whereas, a kind

built forts on eminences to awe their neighbours, the kings found the affair

of immortality ſeems annexed to kingdoms where the nobility is powerful and numerous; of which among others, France and Perſia, are ſignal inſtances. It was the nobility which recovered the former out of the hands of the Engliſh; to the nobility it was that Perſia owed its deliverance from the Tartars and Saracens; and how was the Mooriſh tyranny in Spain brought to a period, but by the valour of its nobility? True, ſay ſome, a feudatory nobleſſe may be of uſe to the ſtate, but are goads in the eyes of kings; that ſome power and courage by which they maintain a country, and inſpirit the people, enabling them to make his crown totter. Who queſtions it, if a prince be too weak for a crown? In which caſe he'll not only be moleſted by the barons, but duped by a ſort of knaves and buffoons, who will worm themſelves into his confidence; inſtead of a king he'll be no more than a puppet; ſuch as Childeric and Charles the ſimple in France (under whom fiefs had their beginning in that kingdom, the nobles take the advantage of the king's imbecility.) No ſecurity is ſuch in the hands of a prince, who wants a ſpirit and capacity to uſe it. I don't deny but that a feudatory being maſter of a poſt, or place of ſingular importance, may be compelled to accept of an equivalent in exchange, as all private conſiderations muſt give way to the public ſafety; thus the kings of Spain have purchaſed the port of Auguſta in Sicilly, from its ancient lords; and Henry the ſecond of England, demoliſhed all the caſtles of the turbulent barons which Stephen had conferred on them. Botero's Ragione di Stato.

above

above their ſtrength, ſo that particularly Lewis the younger was obliged to requeſt the aſſiſtance of all the biſhops of France, who heartily embarking in ſuch a juſt cauſe, at their exhortations the people took the field under the banner of their pariſh, and, headed by their prieſt, behaved with the greateſt bravery; and having thus ſerved their prince, returned to their homes, ſome to their tillage, others to their trades, and others to the adminiſtration of juſtice; ready at all times effectually to appear at ſuch a glorious call.

CHAP. IV.

Of anceſtry, and other proofs of nobility.

POSSIBLY never was a better claim to nobility from anceſtors than that of John Mary Viſconti at Milan, who, on his repreſentation to be admitted into the college of nobles, after ſpecifying his deſcent in thirty de-

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grees, alledged of his family with more truth than Julius Cæſar, *quod in ea & ſanctitas regum ſit qui plurimum inter homines pollent & ceremoniæ deorum quorum ipſe in poteſtate ſunt reges*, numbering kings and ſaints being counted among his anceſtors. The high office of a father gives ſuch an unqueſtionable nobility, that even in the order of Malta, no other proof is required from the ſon of a chancellor, or ſecretary of ſtate; of which the ſon of Antonello Patrucio, is a ſignal inſtance.

Remarkable ſtory.

" Antonello was the ſon of a poor gar-
" dener, who, unable to maintain his
" family, carried Antonello half naked
" to Averſa, to get rid of him at any
" rate. A notary took the lad as a
" kind of errant-boy, but finding him
" fit for better things, put him to ſchool,
" and his genius being accompanied
" with ſweetneſs of manners and vir-
" tue, his maſter having no children,
" adopted him, procured the beſt maſ-
" ters in all ſciences for him, and intro-
" duced him into the ſecretary's-office,
" where he ſo diſtinguiſhed himſelf,
" that

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" that the celebated Laurentius Valla,
" recommended him to king Alfonſo,
" to whom he ſo indeared himſelf by
" his application, modeſty and fidelity,
" that he recommended him to his
" ſucceſſor Ferdinand, who found him
" ſuch a valuable miniſter, that he made
" two of his ſons counts, two others
" biſhops; and a fifth prior of Capua,
" obtaining for him the order of St.
" John of Jeruſalem; the meanneſs of
" their extraction being loſt in the luſtre
" of their father's ſtation."

In ſeveral cities of Italy, Spain and Portugal, regiſters of the noble families are kept with inviolable ſtrictneſs, and theſe are recurred to upon any proof of nobility. At Venice, not only the noble families are regiſter'd, but every perſon of ſuch families, and this immediately after their birth: it ſeems alſo a fantaſtical kind of oſtentation, that a Venetian noble, when ambaſſador to a ſtate or prince, makes it his buſineſs to obtain permiſſion for quartering the arms of ſuch ſtate or prince with his own.

The

Guelphs and Gibbelines.

In the factions of the Guelphs and Gibbelines, (the former being the appellation of the pope's adherents, and the latter of the emperor's, which broke out in the 17th century.) The people ſided with the Guelphs, and the nobility declared for the Gibbelines; the conſequence of which was, a violent animoſity, and often open violence. But in the 14th century, moſt of the Italian cities, wearied out by the oppreſſions of the nobility, and ſupported by the Guelphs, excluded their tyrants from all magiſterial offices, and obliged ſuch as were for ſharing in the government, to relinquiſh their nobility, and enter themſelves in one of the trading companies; and further ordered an exact regiſter to be kept of all the noble families, for the more effectual excluſion of them, beſides the impoſition of fines. Pellini gives the following account of it at Perugia. *Nel preſente anno furono notati tutti i nobili, & diſceſe de prole militare per linea paterna di porta in porta e con molti altri nobile di citte e terre vicine, che erano citadini di Perugia, e ne fu fatto libro autentico per mano di notari, e fu fatta*

fatta queſta deſcrittione piu per odio, che per altro, accioche in alguna guiſa errando i nobili pagoſſero la pena duplicata più dell' altre famiglie popolari. But what was originally meant as a diſgrace and puniſhment to the nobility of that country, is now an advantage and ornament to it; thoſe books being authentic records of the antiquity and grandeur of families, and the beſt proof of anceſtrial nobility. Of all Germany this point of derived nobility is no where carried to a greater height than in Munſter, where to be reputed noble, and be intitled to the privileges of that rank, ſixteen quarters are to be proved from the public records of the nobility. In the dutchy of Cleves, a proof of eight quarters gains admiſſion among the ſtates; the proof is made by the oath of two nobles of the body of the ſtates, that the eight quarters offered in ſupport of the claim appear to be of the ancient knighthood, without any baſtardy or other blot, and that they will at any time hereafter, when required, take the ſame oath. But a deficiency of

of noble anceſtry has been ſupplied by a patent, ſuch as Charles V. conferred on George Sabin, for his prodigious learning, wherein he declared him a knight and noble of four degrees both on father and mother's ſide; the part relating to the coat of arms * aſſigned him

* Coats of arms in this ſenſe are of the moſt remote antiquity, as appears from the ſecond chapter of the book of Numbers, "Every man of the "children of Iſrael ſhall pitch by his own ſtan-"dard, with the enſign of their father's houſe:" in Europe they are generally accounted an Aſſyrian invention, and were formerly looked upon as emblems and tokens of that nobility, which either their own endowments or thoſe of their anceſtors had acquired, and honourable marks for indicating and diſtinguiſhing families, as names do individuals; ſo that upon the failure of a family, it was uſual to bury the arms along with the perſon. The preſent of a coat of arms from a ſovereign was a mark of the moſt eminent ſervice; thus Charles the ſeventh of France, authorized the maid of Orleans to bear, azure with a ſword argent in pale, its hilt betwixt two lilies of the ſame, ſurmounted with a crown; and the device invented for this heroine, after being burned by the Engliſh, was a phœnix over a fire, with this motto, *Invito funere vivet*, Having mentioned this device, I ſhall add that of the emperor Charles the fifth, (ſtill uſed in the Spaniſh dollars) both for its energy, and the reward of the author; the device was Hercules's two pillars each crowned, and

him by that emperor, deſerves to be inſerted as in the original. *Porro ad hunc equeſtris*

and ſurmounted with an imperial crown, the motto, *Plus ultra*, alluding to his conqueſts and deſigns in Africa and America. Marley, a phyſician who compoſed it, was immediately rewarded with a biſhoprick. Spelman's opinion is, that coats of arms were unknown in England before the Norman conqueſt. His words are as follows; *Noſtrates poſtquam in Angliam penetraſſet Willielmus primus hunc armorum cultum à Normannis videntur accepiſſe, nec confeſtim vulgaris evaſit, quod ſoli potiebantur, qui in acie conſiſterant, aliis, quantæcumque nobilitatis, nihil prius inſignium expetentibus. Hinc multis nec ignobilibus familiis ſua defuere inſignia, etiam uſque ad Henrici ſexti ætatem, ut videre eſt in Haſtingiarum cum Ruthino barone litium formulis. In quas juratus quidam è ſtirpe nobili reſpondit nihil ſibi inſignium accidiſſe, quia nec ipſi, nec majores ſui in Bellum unquàm deſcendiſſent.* And adds, that in Ireland ſeveral very conſiderable families were, in his time, without any coats of arms at all: *In Hybernia plurimi habentur nobiles è primariis familiis etiam nunc dierum aſſymboli.* It is certain, that William the firſt, impoſed on England the Norman arms, of two leopards, adding a third on account of his new acquired kingdom, tho' ſome ſay, the laſt was tranſplanted from the Acquitain arms on the marriage of Henry the ſecond, with the elector's daughter, and heireſs of William duke of Guyenne. According to Buchanan himſelf, Achaius, king of Scotland, received from Charlemain the thiſtle, and a double border flower-de-luced to encloſe the lyon which he bore. The ancient French hiſtorians relate, that Achaius aſſiſted Charlemain with

equeſtris ordinis gradum addimus etiam tibi inſignia quibus tua nobilitas latius inclareſcat videlicet clypeum ceruleum, & in eo Pegaſum candidum ex nubibus volantem, alis in altum porrectis. Galeam vero cancellato ore, qualis ſolet eſſe nobilitatis non poſtremæ; & in galea alium Pegaſum cum nubibus ſimili figura, qua eſt in clypeo, id autem inſigne convenit homini non ignavo, ſed ad gloriam excitato, cui eſt virtute efficiendum omnes tantum poſt ſe relinquat.

Ante citos quantum Pegaſus ibat equos.

with 4000 men, headed by his own brother William, and that they ſignalized themſelves on all occaſions, but Eginard uſes ſome ſtronger expreſſions. *Scotorum reges ſic habuit ad ſuam voluntatem per ſuam munificentiam inclinatos, ut eum nunquam aliter quam dominum, ſeque ſubditos ac ſervos ejus pronunciarent. Extant epiſtolæ ab eis ad eum miſſæ quibus hujusmodi affectus eorum erga illum indicatur.* It is obſervable that the alliance of France and Scotland hath continued (as the Scots themſelves ſay) for the reigns of one and forty kings of France, and ſix and forty kings of Scotland, containg the ſpace of eight hundred and twenty years, to the great diſadvantage of the Engliſh, or, to ſpeak more plainly, Scotland was all that, time the penſioner and tool of France; ſo that upon the principle of honour only, the preſent condition of that ancient kingdom is far preferable to its former ſtate.

The

The emperor Sigiſmund, ſeems not to have thought ſo highly of theſe *dative* titles, for having after a long ſollicitation created a great ſcholar, knight, and he quitting his doctorial ſeat to place himſelf among the knights; the emperor told him he degraded himſelf, *Sovereigns being able to make knights by dozens, but to make one man of learning was beyond all their power.* A ſaying which the enobled doctors never fail to urge in their writings, wherein they labour to prove their nobility ſuperior to the military; it being, ſay they, *that of the mind*; an equality is their due, the *Counts of learning*, (or Counts palatine as they were alſo ſtiled) by an act in Theodoſius, the younger *de profeſſoribus* wearing the pearl circlet and gilt ſpurs, equally with thoſe who had raiſed themſelves by martial exploits or other ſervices. *Pleaſant reprimand.*

The proofs of nobility are various, either by the certificate of ſovereigns, or by a commiſſion of enquiry, verbal de-

depoſition, or by oath, publick regiſters, titles, tombs, and other monuments. Cardinal Brancacio, was admitted canon, in the church of Lyon, the pope only certifying to the chapter that he had the requiſite nobility. The moſt ancient and uſual way was that by witneſſes, betwixt which, and that by enquiry, is this difference; in the enquiry the depoſitions of all ſorts of people were admitted, but all the witneſſes were to be gentlemen of arms, ſpotleſs characters, and of an advanced age, who from their own knowledge could give evidence concerning the anceſtors of the perſon under trial. Ancient tombs and epitaphs were likewiſe authentic proofs of nobility, the diſtinction of perſons and their qualities, being five or ſix centuries ago, denoted on them with the greateſt exactneſs, as will appear from the following particulars:

I. Kings and princes wherever, or in whatſoever manner they died, were repreſented on their tombs, with their coats

coats of arms*, with their ſhield, creſt, hood, crown, helmet, ſupporters, mantles, orders and devices.

II. Knights and ſingle gentlemen, were not to be repreſented in their coats of arms, unleſs they had loſt their life in a combat, battle, or encounter, in company with their prince, or in his ſervice, or had died and been buried within their lordſhips; and in the latter caſe, to expreſs that they died peaceably in their beds, they were repreſented with their coat of arms ungirded, the head uncovered, without a helmet, the eyes cloſed, and their feet againſt the back of a greyhound, and without any ſword.

III. They who died on the day of a battle, or in a hot ſkirmiſh, if on the conquering ſide, were repreſented with a drawn ſword in their right-hand, their

* A kind of ſurcoat worn by ancient knights over their armour both in war and at tournaments, reaching only to the navel, open at the ſides, with ſhort ſleeves, and on this coat were the arms of the perſon embroidered in gold and ſilver, and enamelled with beaten tin, coloured black, green, red, and blue. Chambers's Dict.

ſhield in the left, the helmet on, with the ſight down, as ſome think, to ſhew they died fighting againſt their enemies, their coat of arms girded on their armour, and at their feet a Lion.

IV. They who died in priſon, or before they could pay their ranſom * were

* Father Anſelme ſays, that the loſs of the battles of Crecy, Poitiers, and Kincour, againſt the Engliſh, obliged great numbers of the nobility, to diſpoſe of their fiefs for their ranſom; and the neceſſities of the crown concurring with thoſe unfortunate exigencies, it was then that the kings of France firſt allowed Roturiers or plebeians to hold noble fiefs, to which he adds the ceremony of the vaſſal's homage, to the lord of the fief: the lord held betwixt his hands thoſe of the vaſſal, who was on his knees bare-headed, without mantle, girdle, ſword or ſpurs, pronouncing theſe words, *Sire, je deviens votre homme de bouche & de mains; & vous jure & promets fidelité & de garder votre bon droit de tout mon pouvoer rendant bonne juſtice a vos ordres & mandements & â ceux de vos bailiffs*, after which, his lord kiſs'd him on the mouth. On this head of ranſoms may I be permitted to mention that which was paid for Richard the firſt, as a remarkable inſtance of the love of the Engliſh; to a brave prince, it amounted to no leſs, than the fourth part of the revenue of the whole kingdom, laity and eccleſiaſtics, beſides the tax upon twenty ſhillings of every fief, and a hundred weight of ſilver, for which the only reſource was to take it from the chalices and croſſes of the churches.

repreſented

repreſented on their tombs, without ſpurs, helmets, coats of arms, and even without a ſword, the ſcabbard only hanging at their ſide.

V. They who died in a ſkirmiſh or battle, on the vanquiſh'd ſide, were repreſented without coats of arms, their ſword in the ſcabbard, the ſight of their helmet up, their hands cloſed on their breaſt, and their feet againſt a lion lying in a dead poſture.

VI. He who had been overcome and killed in a ſet duel of honour, within the liſts, was to be repreſented on his tomb, armed cap-a-pee, his battle-ax out of his hand lying near him, his left-arm croſs'd over his right.

VII. The conqueror in a pitched combat of honour, was repreſented on his tomb with his whole ſet of armour, his battle-ax betwixt his arms, and the right arm croſs'd over the left.

VIII. Eccleſiaſtics were repreſented in their ſacerdotal habits, the canons in their ſurplice, ſquare caps, and aumaſs.

IX. Abbots with their mitre and croſier, the latter turned towards the left.

X. Biſhops with their large copes, their croſier in their left-hand, gloves in the right, with which they ſeem to be giving the benediction, an angel ſupporting their arms over them *.

* The effigies of theſe reverend perſonages are much more in the character of chriſtian biſhops, than they themſelves were whilſt living; among too many inſtances of fighting biſhops, I ſhall ſelect only two. Guil. de Breton, an old French hiſtorian mentions Philip de Dreux, biſhop of Beauvais, at the battle of Bovins 1244; in that memorable action ſays he, he unhors'd, and beat out the brains of ſeveral of the enemies with a club of wood and iron, not uſing a ſword (*riſum teneatis amici?*) that weapon being forbid by the holy canons to eccleſiaſtics. Among thoſe who felt the force of his arm, was the earl of Saliſbury, natural brother to John king of England, whom having knocked down, he ordered one of his attendants to ſecure as priſoner; in ſhort, he laid about him ſo furiouſly, as to make the Engliſh ſmart for the ſevere impriſonment he had ſuffered in their country. The other inſtance, is of a prelate taken priſoner in France by Richard the firſt, the pope, being informed of the prelate's impriſonment, wrote in a peremptory manner to the king, that he ſhould immediately releaſe his beloved ſon; upon which, Richard ſent to his holineſs the biſhop's whole ſet of armour, with this laconic anſwer, "See now whether this be thy ſon's "coat or no."

XI.

XI. Popes, cardinals, patriarchs and archbiſhops, are repreſented in their pontifical habits.

An uſual proof of very ancient nobility are the charters of publick foundations, endowments, or donations, without which a great many conſiderable houſes would be ſtrangers to their origin, or at leaſt to poſſibly the moſt worthy of their anceſtors.

The records of the ancient tournaments, are of all others reckoned the moſt unqueſtionable proofs of an illuſtrious nobility, on which account it is, that the moſt ancient houſes in Germany diſtinguiſh themſelves by the names of thoſe of their anceſtors, whoſe names were enrolled in the tournament records. Whatever may be alledged in vindication of ſuch ſcrupulous nicety on the nobility of perſons, to be admitted into ſecular employments or aſſemblies, it may ſeem ſtrange that chriſtianity, making ſo little account of all worldly grandeur, this punctilio ſhould have extended itſelf to

the church, the Apoſtle ſays, there's no 'diſtinction of Jew or Gentile, Barba-'rian or Scythan, bond or free." Oneſimus, Philemon's ſlave, ſucceeded Timothy in the ſee of Epheſus. The eighty-firſt canon of the Apoſtolic Conſtitutions, allows even of perſons in a ſervile condition, if otherwiſe well qualified, to be-admitted to the prieſthood, with the conſent of their maſters, who upon ſuch admiſſion were to ſet them free; the council of Niece paſſed the ſame injunction, but abuſes afterwards ſeem to have crept in which gave occaſion for the following complaint of Leo the firſt to the biſhops of Italy, *Admittuntur paſſim ad ordinem ſacrum, quibus nulla natalium, nulla morum dignitas ſuffragatur, & qui à Dominis ſuis libertatem minimè conſequi potuerunt, ad faſtigium ſacerdotii, tanquam ſervilis vilitas hunc honorem jure capiat, provehuntur: & probare Deo ſe poſſe creditur, qui Domino ſuo nec dum probare ſe potuit. Duplex itaque in hac parte reatus eſt, quod & ſacrum miniſterium talis conſortii vilitate polluitur, & dominorum*

minorum quantùm ad illicitæ uſurpationis temeritatem pertinet, jura ſolvuntur.

But it was not any mandates of the popes, or decrees of councils, which gave a ſanction to the proofs of nobility, or to the inſtitution of chapters and colleges, where none but the noble are admitted; there being a great deal of difference between the free and the noble, the former is natural, and a good rationally deſireable, the latter a political invention, and moſt pleaſing to a vitiated imagination: but the origin of this abuſe, if I may preſume to call it ſuch, was partly that the nobility having ingroſſed every thing into their hands, very few others could afford to have maſters for their inſtruction, or bear the expence of an univerſity education; thus they engroſſed the eccleſiaſtical ſtate among themſelves, which uſage ſtill exiſts in Poland; but it was in Germany that the cuſtom openly commenced, and became authoriſed by poſitive laws and ordinances, againſt admitting into chapters, and moſt of the abbies, any who cou'd not prove their

nobility; and the pretence for ſuch inſtitutes was, that prelates, abbots, provoſts, deans, and other heads of churches, having a ſeat in the general diet, and the particular *Circle* of the province, and ſometimes even preſided in them, the nobility could not brook to ſee at the head of theſe auguſt aſſemblies, perſons of mean birth, however eminent in other reſpects; beſides, not only large revenues, but the government of cities and whole provinces being annexed to thoſe dignities, the nobility were for ſecuring ſuch preferments to themſelves, and accordingly made particular laws and ſtatutes that none but nobles ſhould be admitted into thoſe chapters, colleges, abbies, &c. of which the chiefs have temporal and ſpiritual juriſdiction; and accordingly we find the ſovereign princes of Germany, and the emperors themſelves, (and the practice remains to this day,) intriguing to get their children, brothers, and other relations, into thoſe eccleſiaſtical offices: the inſtance of Viligitus, archbiſhop of Mentz, who being a wheelright's ſon, took

took a wheel for his coat of arms, which ſtill continues the arms of that electorate, ſhews that formerly, nobility was not a requiſite to an archbiſhoprick, but is an uſage introduced by the emperors, princes, and lords; hence it is alſo, that the prelates of Germany, no leſs than the emperor, have their four great hereditary officers, their marſhal, their chamberlain, their cupbearer, and carver; it muſt be owned the popes warmly oppoſed all ſuch excluſive procedures, Nicholas the fourth excommunicated the whole chapter of Treeves, for objecting againſt a perſon of low birth, on whom he had conferred a prebend; pope Honorius alſo anathematized the ſtatutes of ſeveral nunneries, (as it wou'd have been ſomething ſtrange, if the ladies had not alſo ſtood upon their honour,) where none but ladies of ancient nobility was to be admitted. So long ago as 1227, the nomination of a prebend in the church of Straſburg falling to the Holy See, the chapter having delayed it too long, the perſon appointed by the biſhop

biſhop of Porto then legate in Germany, was rejected with diſdain by the chapter, as utterly deficient in the required degrees of nobility, and both parties repreſented the affair to pope Gregory the IXth, who paſſed the following decree. *Venerabilis frater noſter Portuenſis epiſcopus ſupplicavit, ut cum quandam præbendam, quæ in Argentinenſi eccleſia tandiu vacaverat, quod donatio ejus erat ad ſedem apoſtolicam devoluta.* I. *Clerico contulerit, dum in illis partibus legationis officio fungeretur, ſuam collationem benigno proſequeremur affectu. Verum procurator Argentinenſis capituli propoſuit ex adverſo, quod idem capitulum, hoc audito, conſuetudinem allegans antiquàm inviolabiliter obſervatam, juxtà quam nullum niſi nobilem, et liberum, & ab utroque parente illuſtrem, honeſtæ converſationis, ac eminentis ſcientiæ in ſuum conſortium hactenùs admiſerant: nè contrà hoc fieret (maximè cùm nulla tunc præbenda vacaret, antequàm monitorias, vel executorias literas recepiſſet,) ad ſedem apoſtolicam appellavit. Nos igitur attendentes, quod non generis ſed virtutum nobilitas, vitæque honeſtas Deo gratum faciunt & ido-*

neum

neum ſervitorem: ad cujus regimen non multos ſecundùm carnem, nobiles & potentes elegit, ſed ignobiles ac pauperes, ex quod non eſt perſonarum acceptio apud ipſum, & vix ad culmina dignitatum nedum ad præbendas viri eminentis ſcientiæ valeant reperiri, exceptiones hujuſmodi non duximus admittendas *.

The Romans ſeem alſo to have had their delicacy on this head, as appears from the famous cauſe betwixt the Marcelli and Claudii, openly pleaded before the hundred judges, concerning which Cicero ſays, *de toto ſtirpis et gentilitatis jure dicendum fuit*; but more particularly in the caſes of adoption, not uncommon

* That cardinal to me appears worthy of the triple crown, who upon ſome heat in the conclave againſt promoting to the triple crown a perſon of confeſſed learning and piety, but of obſcure extraction, ſaid "the queſtion here is about a ſucceſſor "to a fiſherman, and a vicar to a carpenter's ſon and "not to an emperor, *Piſcatori Petro, Fabri filio ſuc-*"*ceſſorem quærimus non Auguſto.*" The church however, at leaſt on ſome occaſions, had known better times, for the noble Sidonius Apollinaris, in a moſt polite letter, congratulates an acquaintance of his, who by pure merit had riſen to conſiderable preferment, adding, *Jam remotis gradibus dignitatum per quos ſolebat ultimo à quoque ſummus, quiſque diſcerni, ſolum erit poſthac nobilitatis indicium literas noſſe.*

among

among them, when, if any one, though under difficulties, and with a very advantageous proſpect, or immediate benefits, became a member of a family leſs noble than his own, he incurred reproach, as we read of an Emilius, who upon altering his name to Scipio, was inveighed againſt as injuring his illuſtrious extraction, and even though his adoptive name was in high reputation. Nobility, by Ariſtotle, is termed αρετη τε γενους virtue of deſcent, and the proofs of it among the Greeks were images and medals. Ovid makes Ajax, in his conteſt with Ulyſſes, dwell upon this illuſtrious genealogy, and his adverſary intimates the ſame plea.

Sed enim quia retulit Ajax,
Eſſe Jovis pronepos, mihi quoque ſanguinis
autor Jupiter eſt.

But the Poet Euripedes ſays, "that the "vicious man is a ſcoundrel, were he "better born than Jupiter himſelf." The celebrated Cicero, took a great deal

of

of pains to perſuade the people of Rome, and at laſt actually conceited it himſelf, that he was a deſcendant of king Tullius Hoſtilius, becauſe of the name Tullius, but to the court wits, who uſed to rally him with the title of a gentleman of the firſt batch. *Ego ceteris meis majoribus, mea virtute prælax.*

After all the ſeveral documents and proofs, and inſtitutes concerning nobility, I entirely ſide with the laws *Des la Partidas* ſo famous in Spain, *Nobles ſon Clamados en dos manieras, o por linage o por bondad y como quier que el ligna, ge es noble coſa la bondad paſſa y vence, mas quien las ha de ambas, eſte puede ſer dicho Richome*; at that time the word *rich* rather denoted honour and power, than large poſſeſſions; theſe laws put me in mind of concluding this chapter, with a word or two on the Spaniſh nobility, it being generally little known. The ancient nobles of Spain were ſtiled *Infanzones*, from the retreat of the infant Don Pelagius, with ſeveral lords into Galicia, Biſcay, the Pirenean mountains, and other parts of

of Spain, where, by building fortreſſes among the mountains, they ſheltered themſelves from the invaſions of the Moors, who had lately over-run Spain; after ſome time, they gradually undertook to reinſtate themſelves in their country, and built caſtles to maintain their ground; theſe are they who afterwards were called *Infanſones*, as fellow-adventurers with the infant. Their iſſue took upon themſelves the names of *Hidalgos*, which does not ſignify *Hijos de Godos*, ſons of Goths, from whom they were, indeed, iſſued, but rather *Hijos d' algo*, children who had ſomething, or who were ſomething, being diſtinguiſhed by their eſtates and caſtles, from whence they afterwards were named *de ſolar conocido* of known territory, their families alſo were ſtiled *caſas ſolariegas*, territorial families; from hence perſons of this birth had the ſtile of *hijos d' algo notorios*, becauſe they were known. This nobility *ſolar conocido*, had three degrees, firſt were the lords of lands and caſtles of their names, as the Guevaras, the Mendoſas, the

Guſ-

Guſmans; the ſecond are thoſe who, having acted as chief at the taking of a town or fortreſs from the Moors, were permitted to bear its name, as the Pounces of Leon, the Toledos, the Cordovas, *&c.* the laſt were thoſe who liv'd in known places, as Peter Demendoza was ſurnamed de Guadalaxara, as living at Guadalaxara, and Roderigo de Nayz, was named Roderigo d'Antequera from being governor of Antequera. In Spain the Hidalgos are not only diſtinguiſhed, from thoſe, who are not ſuch, but the *titulados*, or counts, dukes, grandees and marquiſſes, are diſtinguiſhed from the Hidalgos.

To conclude, the noble family, at beſt, is that whoſe plebeaniſm is worn off by length of time; the ignoble, on the other hand, is that whoſe nobility has been abſorbed the ſame way; there being, according to Plato, few princes, few monarchs, who are not the deſcendants of ſlaves, and few ſlaves who poſſibly had not ſovereigns among their anceſtors: emperors have had a hundred cowherds for

for grandfathers, and cowherds an hundred emperors; the great Ataxerxes was of mean birth, the emperor Pertinax was the ſon of a collier, Diocleſian of a freed-man; and to deſcend to lower times, Baſilowitz, Czar of Moſcovy, was originally a robber; the celebrated pope Sixtus Quintus, was of ſuch mean parentage, that he was tending hogs, when a company of monks going to Rome, pleaſed with the vivacity of his anſwers to ſome queſtions they aſked him, concerning the road and country, took him along with them; and in our own days, we have ſeen, in the perſon of cardinal Alberoni, a gardener's ſon, raiſed to the purple, prime miniſter of a vaſt monarchy, and ſhaking the thrones of princes by his intrigues; in effect, the beginnings of the greateſt things are ever very minute; and the broad impetuous Danube may be ſtrided over at its ſource; and could we trace the origin of many ſplendid palaces, which attract the curioſity of travellers, we ſhould find them built upon the ruins of cottages.

The

The Pythagoreans in Jamblicus, uſed to ſay, "That they who are continually boaſting of their nobility, betray their ſhort-ſightedneſs, in not carrying their anceſtry, further than a few centuries; a thouſand years is counted a wonderful genealogy * for were they able to carry it through the immenſity of ages, eaſily would they underſtand, that there is no perſon, without an infinite number of anceſtors, of all conditions, monarchs and ſlaves, greeks and barbarians." And on this account La Bruyere, after delivering his own ſentiment, "That if it be a

* This genealogical oſtentation was pleaſantly ridiculed by our king James the firſt, who, lodging in Lumley-caſtle, in his progreſs from Scotland to London, and being ſhewn a pompous genealogical table of the ancient pedigree of the family, which carried it very far beyond what he thought credible, ſaid to the biſhop of Durham, who was making hiſtorical remarks on it, *I did not know before, that Adam's ſurname was Lumley.* To which may be added, the inſcription on Prior's monument,

Courtiers and heralds, by your leave,
Here lieth the bones of Matthew Prior,
Iſſued from Adam and from Eve,
Let Bourbon or Naſſau go higher.

happineſs to be nobly born, it is a much greater, to be of ſuch a behaviour that no enquiry is made about your birth," he adds, "the great cannot away with the primitive times, it being a ſad mortification to them, that we are all like the deſcendants, of brother and ſiſter." Thus are there two nobilities, one of merit and virtue, the other of blood and deſcent. Saint Chryſoſtome ſpeaks thus ſublimely on that of virtue: *Ille clarus, ille ſublimis, ille nobilis, ille tunc integram ſuam nobilitatem putet, ſi dedignetur ſeruire vitiis, & abiis ſuperari.* And Marius, in Saluſt, proteſts "that never would he be brought to acknowledge any other nobility than courage, and patriotiſm, and that nature being common to all, every man of ſpirit was to be counted noble." The learned father du Boſque ſays, "that there are three kinds of nobility; divine, ſecular, and moral; divine, as to the origin of the ſoul, *auræ particula divinæ*; the ſecular is founded on the genealogy of dignified anceſtors; the moral conſiſts in the virtues which we muſt cultivate,

to

to be in any rank of eſteem; the divine depends on the power of God, the ſecular, in the fortuituouſneſs of birth; the moral, on the freedom of the mind: an attentive conſideration of the dignity of the firſt, will abate of the value we put on the ſecond, and incite us to moſt exalted proficiency in the third."

Unde ſuperbit homo cujus conceptio culpa,
Naſci pœna, labor vita, neceſſe mori?

CHAP. V.

Of the privileges and rights of nobility.

Whether nobility be only an imaginary good.

IF we conſider whether nobility be a real, or only imaginary good; in ſome countries it muſt be owned to be little more than the latter, but in moſt parts of Europe, nobility is a very ſubſtantial good, diſtinguiſhed by ſuch weighty and ſplendid privileges, that, on ſome occaſions, many have been known

greatly to diminiſh their fortunes to prove the nobility of their deſcent. It is to be ſuppoſed, that prince Menzikoff would have largely rewarded the ſkilful genealogiſt, who could have proved the paſtry-cook his father, to have been the deſcendant of nobles; however, he did not want noble qualities, as without his conduct and courage, the Czar would have loſt the famous battle of Poltowa: though afterwards, by the intrigues of his enemies, he was deprived of all, and baniſhed to Siberia, where his extreme dejection and reſentment, ſhewed that his courage was not accompanied with fortitude *; not leſs immenſe than it coſt the

* This perſon ſeems to have been wanting in other virtues beſides fortitude, or his abjection might proceed from conſciouſneſs of guilt and remorſe. For paſſing once through a large village, the inhabitants of every age, and of both ſexes, attacked him ſo furiouſly, that ſeveral of his retinue were killed, and himſelf owed his life to the ſwiftneſs of his horſe; but ſoon after, he cauſed every man in the village to be put to death, even the prieſt himſelf. This may ſtrike a ſouthern reader with horror, but ſuch is the obduracy of the Ruſſians, that they undergo torture and death with an amazing indolence, and though above 6000 robbers

the laſt duke of Courland, to prove himſelf of the princely family of Byron of French origin. It muſt be owned, that in commercial ſtates, the nobility do not ſhine in their meridian radiancy. In the United Provinces, whoſe genealogies can with credit be traced back for ſome hundreds of years, have no manner of ſuperiority, (if on equal terms in wealth) either in ceremonies or privileges, beyond thoſe who are aſhamed of owning their grandfather. However, in Holland, the only province among the ſeven of any conſiderable trade, the nobility are not without their privileges; they ſit in the aſſembly of the ſtates of Holland, it depends on the nobles to fill up the vacancies that happen in their own body, and to augment their number as they pleaſe; but to capacitate a perſon for that election, he muſt be poſſeſſed of a lordſhip, or a fief noble in a province; they have the firſt rank among the

Countries where the nobility are of no great importance.

bers and murderers had been executed by the ſentence of only one chief juſtice at Moſcow, this ſeverity did not put the leaſt ſtop to thoſe villanies.

ſtates, and the firſt vote of nineteen, which determine the reſolutions of that aſſembly. They are underſtood to give their votes *proprio jure*; and 'tis to preſerve that diſtinction, that the ſtates inſert this clauſe in their reſolutions, (The lords, chevaliers, the deputies of the towns, in the name, and on the part of the burgomaſters and regents of the ſaid towns, conſent, &c.) But notwithſtanding this, the whole body of the nobility have but one voice, which is pronounced by the grand-penſionary, as penſionary of their order; they poſſeſs church and abbey lands to a great value; one of their body is always a deputy to the ſtates general; they have a ſecond in the council of ſtate; a third in the council of the deputies of the ſtates, where he is always preſident; two more are commiſſioners of the admiralties of Amſterdam and Rotterdam; two are members of the high court of juſtice; and, for thirty years paſt, they have had two more in the direction of the Eaſt-India company; all which employments are for life. In England, a

conſiderable merchant who freights, or owns ſeveral ſhips, or a manufacturer who employs a great number of hands, is no leſs accounted of than a lord. If their nobility are a part of the legiſlature * by birth; the merchants and private gen-

* The Spirit of Laws, among other encomiums on this part of the Britiſh conſtitution, diſcourſes of it as follows.

"In a ſtate there are always perſons diſtinguiſhed by their birth, riches, or honours; but "were they to be confounded with the common "people, and to have only the weight of a ſingle "vote like the reſt, the common liberty would be "their ſlavery, and they would have no intereſt "in ſupporting it, as moſt of the popular reſolutions would be againſt them; the ſhare they have "therefore in the legiſlature, ought to be proportioned to the other advantages they have in the "ſtate, which happens only when they form a "body that has a right to put a ſtop to the enterprizes of the people, as the people have a right "to oppoſe any encroachment of theirs.

"The legiſlative power is therefore committed "to the body of the nobles, and to the body "choſen to repreſent the people, which have each "their aſſemblies and deliberations apart, each "their ſeparate views and intereſts.

"Of the three powers above-mentioned, the "judiciary is in ſome meaſure next to nothing; "there remains therefore only two, and as theſe "have need of a regulating power to temper them, "the part of the legiſlative body compoſed of the "nobility, is extremely proper for this very purpoſe.

gentlemen are ſo by election. And this appears to be ſome imitation of the ancient Germanic conſtitution, according to which, the ſenate were authors of all councils in the ſtate, and what was by them conſulted and agreed, was propoſed to the people, by whom it was enacted, or commanded, becauſe in them was the power to make it obeyed. But as to any other authority, or ſuperiority, the ſenate had it not: this prerogative of the nobility has deſcended, without any conſiderable variation; for then, in the great aſſembly itſelf, as every native freeman

"The body of the nobility ought to be hereditary; in the firſt place it is ſo in its own nature, "and in the next, there muſt be a conſiderable "intereſt to preſerve its prerogatives; prerogatives "that in themſelves are obnoxious to popular "envy, and of courſe in a free ſtate are always in "danger.

"But as an hereditary power might be tempted "to purſue its own particular intereſts, and forget "thoſe of the people; it is proper that, where they "may reap a ſingular advantage from being cor-"rupted, as in the laws relating to the ſupplies, "they ſhould have no other ſhare in the legiſla-"ture, than the power of refuſing, and not that of "enacting; by which I mean ordaining by their "own authority.

had

had an undoubted right to be preſent, ſo his independency placed him upon a level with the nobleſt of his brethren; all ſeem to have been then reduced to that primitive ſtate of equality, wherein nature herſelf had originally placed them. The voice of the private man, was he in other reſpects his equal either for war or council, was heard with as much attention, and carried as much weight with it in this democracy, as of him who enjoyed any of the public offices. It was the multitude, as they are frequently called by the Roman hiſtorians, that is, the bulk of the nation, which abſolutely decided in all affairs of moment. Even the princes themſelves ſeem not to have had any other authority, than what their ſuperior endowments of mind might give them; * they did not ſo much as preſide here, that

* *Rex vel princeps prout ætas cuique; prout nobilitas, prout facundia eſt audiuntur, auctoritate ſuadendi magis, quam jubendi poteſtate.* So Liſcus in his diſcourſe to Cæſar, *Bell. Gall. Com. l.* 1. *c.* 17. *Eſſe nonnullos quorum auctoritas apud plebem plurimum valeat, qui privati plus poſſint, quam ipſi magiſtratus*; and

that province belonging entirely to the Druids, or national prieſts, who were of the chief nobility, as were the prieſts of Egypt, the Flamines of Rome, and ſuch indeed ſeem to have been the public prieſts of all other ſtates of the ancient world; and their more eſpecial buſineſs it was to preſerve order and decency, as far as poſſible, in theſe numerous and unweildy aſſemblies. They commanded ſilence, they puniſhed the refractory and diſobedient, and, as is moſt probable, laſt of all pronounced the will or decree of the aſſembly, however made known or ſignified, whether by ſome particular claſh of their arms, which, like the ancient Germans *, they ever carried with them. However, ac-

and another of their great men tells us, in the ſame author, "that ſuch was the nature of his command (and he was general) that he had no more power over the multitude than the multitude had over him."

* *Silentium per ſacerdotes, quibus tum et coercendi jus eſt, imperatur. Si diſplicuit ſententia fremitu adſpernantur, ſin placuit, frameas concutiunt; honoratiſſimum aſſenſus genus eſt, armis laudare. Nihil autem neque publicæ neque privatæ rei niſi armati agunt.* Tacit. ut ſupra.

cording

cording to a treatiſe of Adelar, a relation to Charlemaine, the Germanic conſtitution was afterwards brought nearer an ariſtocracy; he ſhews the manner of holding the convention of the ſtates, conſiſting of the temporal and ſpiritual lords to deliberate, and the deputies of the people to give their conſent to their acts, and receive directions. *Conſuetudo tunc temporis trita erat, ut non ſæpius ſed bis in anno placita duo tenerentur, unum quando ordinabantur ſtatus totius regni ad anni vertentis ſpatium; quod ordinatum nullas eventus rerum, niſi ſumma neceſſitas, quæ ſimiliter toti regno incumbebat mutabat. In quo placito generalitas univerſorum majorum tam cleritorum quam laicorum conveniebat. Seniores propter conſilium ordinandum. Minores propter idem conſilium ſuſcipiendum et interdum pariter tractandum et non ex poteſtate, ſed ex proprio mentis intellectu vel ſententia confirmandum* *. On this paſſage father Meneſtrier obſerves, "that the

* *De minoribus rebus principes conſultant de majoribus omnes; ita tamen, ut ea quoque quorum penes plebem arbitrium eſt, apud principes prætractentur.* Tacit. de Germania.

"annual

"annual meeting of the ſtates of Lan-
"guedoc is an exact tranſcript of thoſe
"Placita; the governor of the province,
"in the king's name, makes overtures
"to the aſſembly, where the archbiſhop
"of Narbonne is preſident, and which
"conſiſts of the other twenty-two arch-
"biſhops and biſhops of the province;
"the barons poſſeſſing fiefs, and the
"deputies of towns and communities:
"among theſe, the clergy and nobility
"ſit apart in a more elevated place."

Of the preference of the nobility at court.

The moſt conſiderable employments of a court, in all nations, are filled by the nobility, and if they enter into the ſervice, by ſea or land, it is accounted no injuſtice to their ſeniors, to prefer them over their heads, ſo that a captain ſees the ſame nobleman who was his enſign, advanced to be his colonel; this may partly proceed from the many moral motives to courage, and generoſity in a nobleman beyond perſons of meaner birth, the examples of their anceſtors, the love of glory, and other animating ſentiments, in which they have been trained up.

His

His preſent majeſty of Pruſſia, whoſe whole conduct is a model of wiſdom and goodneſs, is particularly attentive to fill his army with nobility, by which means he provides for thoſe who are poor and whoſe poverty, they being very numerous, might be of ill conſequences; and fills his army with the completeſt officers that any prince can ſhew. Here a ſubaltern enjoys the ſame honours as the chief ſtaff-officer, he is allowed to appear in the drawing-room, and admitted on occaſions, even to the kings table.

Father Paul recommends to the ſtate of Venice, "That the great honours of "the country ought to be diſtributed, "as much as can be, among the ancient "nobility, except when any of the new "pretenders have ſome extraordinary "perſonal merit, in which caſe all pro- "digality becomes a virtue. But other- "wiſe to confer honours on perſons, "that are not able to count to the third "or fourth generation, would be to give "occaſion of wonder to the ſubjects,

"and

"and of envy to the nobles. It would "likewiſe encourage the moſt abject "among the nobility to pretend to high "preferments; and they not finding "themſelves advanced to any higher "condition, than what their indifferent "parts deſerve, would not be able to "ſatisfy themſelves why ſuch a one "ſhould have attained to great prefer-"ment, and they remain excluded. Be-"ſides, to feed a ſtomach, that has al-"ways been accuſtomed with ſlender "diet, with high-ſeaſoned meats, ſuch "as are ſerved up to the table of a "prince, would be the ready way to "make it fall ſick for want of digeſtion. "Then the ſubjects are not eaſily pre-"vailed with to ſhew an extraordinary "reſpect for one, for whom they have "been accuſtomed to have but a ſlender "regard; and they are apt to fancy, "that the dignity is not very conſider-"able, when it is conferred on a perſon "of no great note."

In the church. It is evident, that whatever the apoſtle James has ſaid about having no reſpect

ſpect of perſons, that the dignities of the church are conferred on nobles who are to prove their anceſtry as a qualification for any profitable employment in the church of Chriſt, of which preference, many illuſtrious families, as they ſtile themſelves, find the benefit, and Rome is not the only place where nepotiſm turns to good account: The canonicates, benefices, and other eccleſiaſtical ſtations, are, next to the army, the reſource of the German nobility: here ſwarms of them find a reſpectable and plenteous maintenance, who, did not holy mother church kindly receive them into her comfortable embraces, would be ſorely put to their ſhifts; thus the benefit appears to be mutual, they receiving ſupport from the church add a dignity to its offices, of which the people entertain the greater veneration, ſeeing them filled by perſons of the higheſt birth. It muſt be owned, that the reformation, whatever good it may have done in other reſpects, has been of infinite prejudice to the nobility of thoſe provinces where it has prevailed.

A

In marriages.

A man from 16 to 25, is for having a beautiful wife; from 25 to 30, a pretty woman; when turned of 30, a woman of ſenſe is what he chiefly deſires: but with women, from their teens to the grave, honour or nobility is a very powerful attractive. This turn of mind in the ſex, give the nobility a great advantage in marriage, and is far from being detrimental to the ſtate; for thus noble families often retrieve their affairs by the fortune of a plebeian ſpouſe, and it is only in things ſuperficial, that this can ſeem any debaſement to the nobility; in what is ſubſtantial it adds to the grandeur of the order, and endears and ſtrengthens it; nor is it to be feared the offspring of ſuch marriages will fall away into a mean ſpirited degeneracy; virtue and an elevated temper, are never in more danger than under poverty; there is alſo another, and no inconſiderable advantage which accrues to the nobility from this intermixture with their inferiors; theſe affinities turn the edge of all that natural envy and ſuſpicion

ſuſpicion and cordially links the people to their intereſt by this ſoft and agreeable chain. I own there is a kind of marriage practiſed in Germany, but permitted only to princes and ſovereign counts; a privilege for which, in my opinion, they are as little to be envied, as to be commended, being accompanied with a haughtineſs, which promiſes very little of conjugal felicity: it is, that a contracting with a woman of inferior rank, the bridegroom gives the bride the left-hand inſtead of the right, and ſtipulates in the contract, that the wife ſhall continue in her former rank and condition, and the children born of them ſhall be the ſame; ſo that, though legitimate in effect, they become baſtards as to matters of inheritance, and do not ſo much as bear the name or arms of their unnatural father. And here I cannot forbear inſerting the following paſſage from the ſpirit of laws, as one of the beſt incentives to virtue, and all kinds of accompliſhments, I ever read of.

Strange kind of marriage in Germany.

"Among the Samnites *, the young "people were all convened in one place, "and

* It is obſerved of our ancient German anceſtors, that among them each man exerciſed a patriarchal authority, as lord, and governor of his own houſhold: beſides his abſolute power over his ſlaves, if his wife at any time violated the honour of his bed, he had a right of inflicting puniſhment upon her himſelf † immediately, without waiting for any previous trial or condemnation?—Let it however be remarked, to the credit of our German patriarchs, that, notwithſtanding they were intruſted with the exerciſe of ſo great an authority, they did not in general make a bad uſe of it, for the treatment they gave their ſlaves, was for the moſt part mild and gentle; *verberare ſervum ac vinculis et opere coercere rarum.* Tacit. c. 25. And their behaviour to their wives, ſuch as would be a credit even to theſe politer ages, where mode or faſhion ſeems to have diſguiſed the deformity of vice; for contrary to that unnatural luxury, which the ſofter climes of Aſia had very early introduced into the world; each man, in imitation of their firſt parents, lived contented with one wife only, whilſt love and dutiful obedience to her own huſband, made up the principal part of the woman's character; for, as the curious Tacitus has well obſerved, there was no part of their diſcipline or general behaviour more commendable, than that ſtrict ſeverity with which they preſerved the honour of the marriage-bed inviolate. Adulteries were ſcarcely heard of in all that numerous multi-

† Dionyſius Halicarnaſſus, that by Romulus's laws, the husband was empowered to kill his wife in four caſes, adultery, ſuborning of children, counterfeiting keys, and drinking of wine.

tude,

"and their conduct was examined. He "that was declared the beſt of the whole "aſſembly, had leave given him to take "which girl he pleaſed for his wife; the "perſon who had been declared ſecond-"beſt, choſe after him, and ſo on." Admirable inſtitution! The only recommendation that young men could have on this occaſion, was that which was owing to virtue, and to the ſervices done their country. He that had the greateſt ſhare

tude, with which theſe nations abounded; was not this partly owing to that cuſtom which prevailed amongſt them, of the huſband's bringing a fortune to the wife, and not the wife to the huſband? *Doctem non uxor marito, ſed uxori maritus offert.* This was perhaps the general cuſtom of the patriarchal ages. See the ſtory of Sichem and Dinah, Gen. xxxiii. there are likewiſe ſimilar inſtances to be found in Homer; in a word, there was no country where the women in general were treated with more complaiſance and affection, or had a greater regard paid them, as part of the reaſonable or human ſpecies, than in Germany. *Captivitatem,* ſays Tacitus c. 8. *longe impatientius fœminarum ſuarum nomine timent; adeo ut efficacius obligentur animi civitatum quibus inter obſides puellæ quoque nobiles imperantur, ineſſe quinetiam ſanctum aliquid, et providum putant; nec aut conſilia earum aſpernantur, aut reſponſa negligunt.* This note, with ſome other particulars, I owe to Squire's eſſay on the Anglo-Saxon government, a book which I have with pleaſure made uſe of to enrich this little piece.

of theſe endowments, choſe what girl he liked out of the whole nation. Love, beauty, chaſtity, virtue, birth and even wealth itſelf, were all, in ſome meaſure, the dowry of virtue. A nobler and grander recompence, leſs chargeable to a petty ſtate, and more capable of influencing both ſexes, could ſcarce be imagined. The Samnites were deſcended from the Lacedemonians, and Plato, whoſe inſtitutes are only an improvement of thoſe of Lycurgus, enacted very near the ſame law. He even permits them to have a more frequent interview with one another; the ſame admirable writer commends a law at Marſeilles that was the moſt ſagacious of all the republics in its time; here it was ordained, that dowries ſhould not exceed one hundred crowns in money, and five in cloaths.

To return to the nobility of England, they bear the pompous titles of moſt noble and puiſſant prince, but have no more of the ſubſtance of the latter epithet than the king of England has of the

 title

title of king of France *, tho' he alſo bears the arms of that monarchy; their fortunes indeed are large, and they live in great ſplendor, but without any of thoſe privileges which give the nobility of Germany, Poland, and Ruſſia, ſo near a reſemblance to ſovereignty; yet this is unqueſtionably a national benefit: one of the chief reaſons, that ſuch large tracts of land lie uncultivated being the oppreſſion of the nobility, eſpecially in the two laſt; and, concerning Ruſſia, a

* Edward the third, in the year 1330, aſſumed the arms of France, claiming the crown, as ſon of Iſabella, ſiſter to Charles *the handſom*, who died without iſſue; and he is ſaid to have been put upon it by Robert Earl of Artois. On this occaſion the following verſes were made on Edward's ſide.

Rex ſum regnorum, bina ratione duorum
Anglorum regno, rex ſum ego jure paterno
Matris jure quidem, Francorum nuncupor idem,
Hinc eſt armorum, variatio facta meorum.

Which were anſwered by the French, there being a ſiſter, Margaret of France, wife to Ferdinand king of Caſtile, elder than Iſabella, the foundation of Edward's title.

Prædo regnorum, qui diceris eſſe duorum
Francorum regno, primubens atque paterno
Matris ubique nullum, jus proles non habet ullum
Jure mariti carens alia; mulior eſt prior illa.
Succedunt mares, hinc regno non mulieres
Hinc eſt armorum, variatio ſtulta tuorum.

writer in a public character has obſerved, that the country people are diſheartned from induſtry, and ſhift only from hand to mouth, for as the Czars ſqueeze the nobility at pleaſure, theſe exerciſe the like tyranny towards their peaſants, that if by chance one happens to get a ſmall ſum, for fear of his lord, he hides it under a dunghill; and the nobility having partly by violence and mean cunning drained the peaſants of their very blood, and afraid of making themſelves obnoxious to the court, ſhould they make a ſplendid uſe of it, commonly lock it up in their coffers, or others, more wiſely, convey it into the banks of London, Venice and Amſterdam; thus are two eſſential benefits, induſtry, and a circulation of money, entirely extinguiſhed. It muſt be obſerved, that the ſubjection of the Ruſſian nobility to the Czars is much greater than formerly; Theodore, elder brother to the preſent Czar, made way to this form of government, by calling together the nobility of all Ruſſia, with orders to bring with them to court their family-writings,

privi-

privileges, and other originals, in order to have them confirmed. Accordingly they all to a man appeared, with their papers before the Czar, who, without giving himſelf the trouble of reading them, wrapt them up together in a bundle, and threw them into the fire in the chimney, declaring at the ſame time, that for the future, privileges and pre-eminence ſhould be grounded ſolely upon merit, and not upon birth, a law which the preſent Czar has ſince fully enforced.

The Perſian nobility ſtand ſo much upon *purity of blood*, that if by deformity, or other incidents, they cannot marry ſuitably to their family, they live ſingle, and ſuffer their families to be extinguiſhed, and in caſe (which is extremely rare) any one ſhould be for contracting marriage, not only with a Plebeian, but with one leſs noble than himſelf, the relations are empowered to throw both parties into priſon *.

* I can't diſmiſs this article without the following note of a very remarkable matrimonial privilege of the kings of England. *Quodſi aliquis baro domini regis tenens de rege, obiiſſet, & non haberet hæredes niſi filias & primogenitæ filiæ maritatæ ſunt in vita*

Other privileges.

In many countries, particularly in Portugal, the nobility are exempted from land-taxes, an uſage, againſt which however, objections are not wanting: when the wiſe Czar Peter the firſt, thought proper to demand his taxes in money, he ordered that the nobility ſhould pay them, according to the number of their peaſants, and they to reimburſe themſelves from the peaſants, and if the number of them diminiſhed, the nobleman payed all the ſame, and if it encreaſed he paid no more; ſo that it might be his intereſt to promote the means for augmenting them, which could be no other than juſtice and humanity.

They are not ſubject to torture; it is pity the loweſt creature ſhould, *etiam innocentes mentiri cogit dolor*; this is a favour of an ancient date, the Julian law among the Romans ſhewing that birth, dignity, and the military profeſſion, exempted them from the rack, except in caſes of high

vita patris; dominus rex daret poſtnatam filiam, quæ remaneret in hæreditate patris, alicui militi 'ſuor' cum tota hæreditate patris ſui de qua obiiſſet ſeiſitus, ita quòd aliæ filiæ nihil recuperent verſus poſtnatam filiam in vita ſua: Et omnes reges habuerant hanc dignitatem à conqueſtu. Fitz-Herbert's reports.

treaſon;

treaſon; yet ſo delicate were the Romans in maintaining an unblemiſh'd virtue * among their nobility, that by the Servilian law, if any Latin, *i. e.* an alien or ſlave, accuſed a ſenator, and made good the charge, he was admitted a denizen of Rome. His preſent Pruſſian majeſty, in order for the better government of univerſities, enjoins "that all diſorders, as "firing of piſtols in the town, breaking "of lanthorns, inſulting the watch, "ſticking up paſquinades, fomenting "popular tumults, &c. ſhall be puniſhed "with baniſhment, expulſion, or greater "rigor; but youths of noble families, "may buy off thoſe puniſhments by

* The Mamilian law mentioned by Salluſt, ſhews their delicacy to have been of little effect; it empowered thoſe perſons whoſe anceſtors had bore no magiſtracy, or the *novi homines*, as they were called, to hold public offices, and ſeems to have taken its riſe from the weak or corrupt adminiſtration of the nobles. My lord Clarendon mentions a very extraordinary regard to the honour of nobility in king Charles I. when he was at York in the beginning of the civil war, "Some of his "courtiers applied to him to grant the patent of "a baron to a rich man who was willing to give "ten thouſand pounds for it, but the king would "not grant it, although, at the ſame time, he "wanted money to furniſh his table, becauſe (ſays "my lord) the man was not worthy of it."

"pecu-

"pecuniary fines." * The ancient Germans, indeed, admitted of none but pecuniary punishments: Those free and warlike people were of opinion, that their blood ought not to be spilt, but with sword in hand; on the contrary, pecuniary punishments are rejected by the Japanese, as encouragements to enormities among the rich and powerful, where a virtuous example is of the highest consequence. Cardinal Richlieu, speaking of the French nobility, says, "that the state is entitled to their ser-"vices, in consideration of the privileges "which they enjoy above the common "people," to which he adds, the following honourable testimony, "they, in a "literal sense, may be said to serve their "country with their lives, and fortunes; "in time of war, you hear of them in the "front of the battle: Their military

* My lord Hallifax seems to have thought differently, after saying, "When men of quality "become scoundrels, it is no wonder at all, that "scoundrels should be made men of quality." He adds, *Where a little rogue would deserve to be fined or imprisoned, if a lord should be guilty of the like practices, I would have him hanged out of respect to his quality.*

"posts

"poſts are rather a burden than a pro-
"fit, they may be ſaid to maintain their
"regiments, rather than to be main-
"tained by them; if the people envy
"the nobility, it muſt be for loſing their
"blood, and ſpending the revenue of
"their eſtates in the public ſervice, they
"are highly reſpected, but not more
"than they deſerve."

Titles.

The nobility are likewiſe diſtinguiſhed by titles of a ſublime import, theſe indeed have undergone ſeveral alterations *;

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* But in theſe days he is a gentleman, who is ſo commonly taken, and reputed. Dr. Ridley, 96. And whoever ſtudieth in the univerſities, who profeſſeth the liberal ſciences, and to be ſhort, who can live idlely, and without manual labour, and will bear the port, charge, and countenance of a gentleman, he ſhall be called maſter: for this is the title that men give to 'ſquires, and other gentlemen. For true it is with us, as one ſaid; *tanti eris aliis quanti tibi fueris:* and if need be, a king of heralds ſhall for money give him arms newly made, and invented with the creſt and all; the title whereof ſhall pretend to have been found by the ſaid herald, in peruſing and viewing of old regiſters, where his anceſtors in time paſt had been recorded to bear the ſame; or if he will do it more truly, and of better faith, he will write, that former merits of, and certain qualities that he doth ſee in him, and for ſundry noble acts which he hath performed

In Italy every *she* is a donna, which is palpably derived from domina. Excellency is now ſunk to be the ſtyle of an envoy, or any petty governor, yet was formerly accounted not unbecoming even the king of France; an archbiſhop of that kingdom thus addreſſing Henry II, *Excellentiæ tuæ quæſumus non ſit oneri ſi te deprecamur ut dominum, hortamur ut regem, docemus ut filium, nec enim alligatum eſt in ore noſtro verbum Dei.* *Grace*, now uſed to the dukes of England, was anciently the appellation of the kings of that monarchy. The title of majeſty is judged peculiar to the imperial dignity, and pertinaciouſly (how prudently I know not) inſiſted on.

At the peace of Munſter *, there was a great conteſt between the miniſters of the

formed, he, by the authority which he hath, as king of heralds in his province, and of arms, give unto him and his heirs, theſe, and theſe heroical bearings in arms. Bird's magazine of honour, printed 1642.

* Mr. Voltaire is ſomething merry on a like diſpute, the German ſecretary-office, ſays, he always invariable in its noble cuſtoms, ſtill pretends, that all kings ought only to be treated with under

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the emperor and thoſe of France: The firſt would not allow the title of ſerenity to the king of France, and the latter would not give that of majeſty to the emperor. At laſt it was agreed, that whenever the French king ſhould write with his own hand to the emperor, he ſhould give him the title of imperial majeſty, and reciprocally, when the emperor ſhould write to the king, he ſhould give him that of royal majeſty. Under the Roman republic, *majeſty* belonged to the whole body of the people, and to the principal magiſtrates; ſo that to diminiſh, or wound the majeſty of the commonwealth, was to be wanting in reſpect to the ſtate, or its miniſters.

But

the title of ſerenity. In the famous treaty of Weſtphalia, in which France and Sweden gave laws to the holy Roman empire, the emperor's plenipotentiaries preſented none but latin memorials, in which his ſacred imperial majeſty treated with the moſt ſerene kings of France, and Sweden, but the French and Swedes, on their ſide, did not fail to aſſert, that their ſacred majeſties of France and Sweden, had many cauſes of complaint againſt the moſt ſerene emperor. In ſhort, all the parties were made equal in the treaty; ſince this time, the great ſovereigns have, in the opinions of their people, been

But the power paſſing into the hands of a ſingle perſon, the appellation of majeſty was transferred to the emperor, and the imperial family. Pliny compliments Trajan on his being contented with the title of Greatneſs; and ſpeaks very invidiouſly on thoſe who affected that of Majeſty *. Du Cange mentions ſome kings

been eſteemed on a level; and he who has beat his neighbours, has, in the public opinion, had the preeminence.

* Your majeſty, is a very modeſt and proper title, as ſignifying no more than your ſuperiority, and derived from *major*; a derivation which I fancy will be eaſier granted than thoſe of the celebrated Bracton, a judge in the reign of Henry III. his words are, "There is no reſpect of perſons with "God, becauſe God is no accepter of perſons; "for as unto the Lord, he that is greater, is as the "leſſer, and he that doth govern, as the ſervant; "but with men there is a difference of perſons, "*viz.* The king, and under him dukes, counts, "barons, vavaſſors, and knights; counts, ſo call-"ed, becauſe they take their name from the coun-"ty, or from the word ſociety, who may alſo be "termed conſul, of counſelling; for kings do aſ-"ſociate ſuch men unto them to govern the peo-"ple of God, ordaining them into great honour, "power, and name, when they do gird them with "ſwords, (that is to ſay) *ringis gladiorum*, with the "belts of their ſwords; *ringis*, ſo called *quaſi renes* "*girans & circundans*, for that they compaſs the "ruins of ſuch, that they may keep them from "inceſt,

kings with the appellation of Servants, and his holineſs of Rome, ſtiles himſelf *ſervans ſervorum*. Peter the great, Czar of Muſcovy, according to a letter of the celebrated Mr. Leibnitz, made little difficulty in point of title: the letter is dated from Hanover, May 1697, and runs thus, "I am informed that the "Czar of Muſcovy, at the late interview "with the elector of Brandenburgh, "gave him the title of Czar, which you "know, Sir, in the Muſcovite language "is equal to king, their Bibles ſaying, "Czar

"inceſt, and luxury, becauſe luxurious and inceſ-"tuous perſons are abominable unto God; upon "this cauſe were the ſtations and encamping of "arms, called in the ancient language of Rome "*caſtra*, even of the word *caſtrare*, to geld, ſince "that they ought to be *caſtrata vel caſtra*. In "that place ought a good general to foreſee that "Venus' delights be as it were gelded, and cut off "from the army. The ſword alſo doth ſignify, "the defence of the kingdom and country."

There be other potents under the king, which are called Barons, (that is to ſay,) *robor belli*, the ſtrength of war. There be others which are called *vavapors viri magnæ dignitatis*, men of great dignity, for *vavaſor* cannot better be ſaid to any thing, than *vas ſortium ad valetudinem*, a veſſel choſen for valour, or as men ſtanding with their general *ad valuas regni*.

"Czar David, Czar Solomon;* and his "electoral ſerenity, being in the higheſt "degree poſſeſſed of every royal endow-"ment, together with the power of ſo-"vereignty, the following epigram was "made on the occaſion."

Te regem, elector, dicit Czar Moſchius ultro,
Vix potuit major, vel mage vera loqui.

Yet prince Eugene, upon hearing that the emperor had been prevailed upon, to make that elector, a king, in reality; he looked upon it as ſuch an injury to the imperial dignity, as openly to ſay; "that they who adviſed the emperor "to it, deſerved to be hanged." But a very unſeaſonable ſtiffneſs in the court of Vienna, was, that though queen Anne of England, was ſo conſiderable a member of the confederacy againſt France, there was ſome difficulty in bringing it to allow that princeſs, the ſtile of majeſty. The auguſt title of pope, was anciently common to all biſhops, as expreſſive of their paternal affection; now, 'twould be the height of

* The Turks call Conſtantinople *Czarigrade, i. e.* the royal city.

pro-

profaneneſs to uſe it to any other than one perſon *.

Titles are ſaid to be introduced into Europe by the Romans, who, in their Aſiatic conqueſts, became infected with the luxury and vanity of that country, which it muſt be owned, is at preſent very extravagant in them. The ſophi of Perſia † is ſtiled the Diſpoſer of King-

* Savaron, a very learned man of Auvergne, in his commentary on Sidonius, complains of ſome perſons, who intended a ſevere proſecution againſt him, for giving the name of pope to the Archbiſhop of Tours, in itſelf, no great crime; beſides, ſays he, tho' by the edict of Gregory the VIIth, it was forbidden to give that title to any but the biſhop of Rome, the ſame was not afterwards univerſally obſerv'd; ſince Urban the ſecond, who ſucceeded Gregory, giving the pall to Anſelm, Archbiſhop of Canterbury, ſtyles him *Papam alterius orbis*, notwithſtanding his predeceſſors decree. A Holſtein prieſt writ a letter to pope Pius the IVth, with this direction, To pope Pius the IVth, the Servant of the Servants of God, but going afterwards to Rome to ſolicit his affair, he was laid by the heels for his diſreſpect.

† A ſingularity in the laws of Perſia, is, that they exclude the blind from the throne, which is the reaſon, that the reigning prince, uſually orders the eyes of all the males of the royal family, whoſe qualifications may afford room for jealouſy, to be put out, inſtead of ſecretly diſpatching them, a cruelty ſo frequent in Turkey,

doms, and all inſtruments of ſtate have this ſignature, This act is from Him whom the Univerſe obeys. The great Mogul, aſſumes ſome grand title on his advancement to the throne, as, The Conqueror of the World, *&c.* Many of his nobility are called, the Rich Lord, or Lord of Lords, and his phyſician is the Prince of Health, but the emperor of China out-tops them all, his ſtile being Only Son of Heaven, ſole Governor of the Earth, great Father of his people. As for the titles of Nutmeg of Conſolation, Roſe of Pleaſure, *&c.* they are rather affected than ſuperb. One of theſe eaſtern monarchs, the king of Pegu, was ſo infatuated with the title, or the power of a king, as the collection of voyages informs us, that Balbi a Venetian, being introduced to him, when the monarch was informed, that at Venice there was no king, he burſt into ſuch a fit of laughter, as brought on a cough, that for ſome time he could hardly ſpeak to his courtiers: And the Dutch ambaſſadors, had no ſmall difficulty to make

the Chineſe ſtateſmen comprehend what ſort of governmernt the United Provinces were under.

It would be endleſs to enumerate the ſeveral * privileges of nobility, being different in different nations; however ſome politicians who profeſs a zealous patriotiſm, affirm, that though a nobi-

* Though the following from Fleta, does not concern privileges of the nobility in general, yet as it pertains to an high office, which is always filled by a nobleman, and is ſomething ſingular; I hope it will be excuſed:

"The ſteward of the king's houſhold, notwithſtanding the liberty of any other, and although in another kingdom, if the offender be found in the king's houſe, judges the fact; according to that which happened at Paris, held in the 14th year of Ed. I. of one Engleam of Nogent, taken in the houſhold of the king of England (the king himſelf being then in Paris) with ſilver diſhes lately ſtolen, at which deed the king of France being preſent, and whereupon the court of the king of France did claim cognizance of the plea concerning that theft, by juriſdiction of the court of Paris, the matter being diverſly debated in the council of the king of France; at length it was ordered, that the king of England ſhould uſe and enjoy that his kingly prerogative of his houſhold, where Engleam being convicted by Sir Robert Fitz John, knight, ſteward of the king's houſhold, of the theft, by conſideration of the ſame court, was hanged on the gallows in St. Germans Fields, Cook 7. part 15. 6.

lity inveſted with fiefs, and high privileges, * may be the moſt martial, yet both

* Bird, in his treatiſe of nobility, has the following paſſage, "Hereditary offices of honour, which "do much import the publick weal, do by eſpe- "cial privilege deſcend to the heir female, as the "office of the high conſtableſhip of England, "which deſcended to the daughters of Humphrey "de Bohun, earl of Hertford, and Eſſex; alſo the "office of lord ſteward deſcended to Blanch, "daughter to the earl of Lancaſter, in whoſe right "John of Gaunt her huſband enjoyed it; the like "may be ſaid of the office of earl marſhal, which "deſcended by an heir female unto the houſe of "Norfolk."—A few pages after he adds, "the "King is at liberty to advance to honour whom "his highneſs ſhall think fit; lord Cromwell a "baron, dying without iſſue, and having two "ſiſters, the eldeſt married to Sir Thomas Nevil, "and the youngeſt to Sir Hunt Burther, the latter "was called to parliament as lord Cromwell." He likewiſe mentions an article concerning privileges, from the 11th chapter of the great Foreſt charter, "Every archbiſhop, biſhop, earl, or ba- "ron, coming to us at our commandment, and "paſſing by our foreſt, it ſhall be lawful for him "to take one beaſt or two, by the view of the "foreſter, if he be preſent; or elſe he ſhall cauſe "one to blow a horn for him, that he ſeem not to "ſteal our Deer." But a privilege mentioned in the cloſe of his book, is of another importance. "Anciently the children of gentlemen only, could "be admitted into the Inns of court, and thereby "it came to paſs, that there was ſcant any man "found within the realm ſkilful and cunning in "the laws, except he were a gentleman born, and came

both king and people live eaſieſt, where the privileges of the nobility are little more than titles, orders of knighthood, and outward decorations: Ariſtocracy, ſay they, is a ſtate, that never can be ſuited to the happineſs of any people; the wiſeſt form of government imaginable, would be the regal, if the nature of man were to be truſted with abſolute power; but as that is impoſſible, and the good of the whole muſt be conſulted, prudent nations have introduced the uſe of ſenates or parliaments, which give the body of the people an opportunity of conſulting on what ſo immediately affects them as the operations of government do. Nobility

" came of a good houſe; for they, more than any " kind of men, have a ſpecial care to their nobi- " lity, and to the preſervation of their honour and " fame; for in thoſe inns of court are virtues ſtu- " died, and vices exiled; for that for the endow- " ment of virtue, and abandoning of vice, knights " and barons, with other ſtates, and noblemen of " the realm, place their children in theſe inns, " though they deſire not to have them learned in " the laws, nor to live by the practice thereof, but " only upon their father's allowance, *vide Forteſcue de laudibus Anglorum, cap.* 49.

was never introduced into the world for the ſake of nobles themſelves, but as a reward of merit, to temper and moderate between the ambition of kings, and the turbulency of the multitude: Whenever it has paſſed theſe bounds, and aimed at any other authority than arbitration, it has proved prejudicial to a free conſtitution itſelf: For nobility never intereſts itſelf for the people: As it is inferior to the crown, it tries to indemnify itſelf by ſuperiority over the plebeians: It either takes part, as in France, with the king againſt the people, or tyrannizes over them, as in Poland, Genoa, &c.

Ruin of the Daniſh conſtitution.

It muſt be owned that the nobility of Denmark are in ſome meaſure chargeable with the loſs which that nation ſuffered of its ancient Gothic conſtitution. The commons, it ſeems, were extremely diſcontented with the taxes and other oppreſſions of the nobility and gentry, which they had ſuffered during a long war with Sweden; and concluded that their condition could not be worſe under

the government of a ſingle perſon, than under ſuch a variety of tyrants. The clergy were no leſs exaſperated than the commons, whom the nobility had deprived of their ſhare in the adminiſtration (tho' they conſtituted one chamber of the ſtates) and when the commons repreſented to the nobility that they had the profit of the lands, of which themſelves were but the occupiers and farmers, and therefore it was but reaſonable they ſhould bear a ſhare in the publick taxes, for the ſupport of the government; the nobility replied, they had always been exempted from taxes, and looked upon their tenants to be their vaſſals and ſlaves; which was ſo reſented by the commons, that they withdrew from the aſſembly, and uniting with the clergy, attended the king in a body, offering him their aſſiſtance to make him abſolute, with whom the king cloſed, and the nobility being in a fortified town, garriſoned by the king's troops, were compelled to come into the ſame meaſures, and paſs a law to render their

king an abſolute monarch. After which, the king received the homage of all the ſenators, nobility and clergy, in the ſight of the army and burghers, who were under arms to grace the ſolemnity, and prevent any diſturbance or oppoſition that might be made to this change in the conſtitution. Thus was the kingdom of Denmark changed in four days time, anno 1660, from an ariſtocracy, to an abſolute monarchy. The commons, inſtead of enjoying the great advantages the court had promiſed them, had only the ſatisfaction of ſeeing their former oppreſſors in as miſerable condition as themſelves. Henry the ſeventh, king of England, ſtiled the Solomon of the age, was ſo ſenſible of the miſchiefs accruing from an over-grown nobility, that he uſed all methods to depreſs it, and it is to his prudence that England owes the flouriſhing condition of private perſons, and the authority of the lower-houſe of its parliament. The barons being the greateſt proprietors in the lands, the commonalty being but tenants, and holding

holding for the moſt part their eſtates from the lords, were obliged, according to the uſage of thoſe times, in ſervices to them, for which reaſon, being under ſuch conditions, they were always at their devotion: whenſoever therefore theſe great men, who had ſuch an influence, became diſpleaſed or diſſatisfied with their prince, the crown became endangered. For theſe barons confederating, could ſoon raiſe their tenants and vaſſals, and ſo be in a condition to diſpute their quarrels with the prince: for the kings of England in thoſe early times, having no eſtabliſhed or ſtanding army, was but upon equal terms with the barons, they being able as ſuddenly to raiſe their tenants, and vaſſals to defend themſelves, as the prince could obtain a force to oppreſs them. In order to ſecure the crown againſt ſuch miſchief, he formed a ſcheme for leſſening the power of the nobility, and this he knew would be acceptable to the commons, great numbers of whom had gained conſiderable wealth

wealth by commerce; accordingly he procured three ſeveral laws to paſs, by one of theſe, lands were made alienable, and ſeveral of the ancient families*, being almoſt

* Whatever inconveniences the civil wars might bring on the nobility, it appears by the following, that the pay of commanders was ſuited to their rank. *Si admiral ſoit bacheler il prendra le jour pour lui meme, ſur lá mer* 4 *ſh. ſi ſoit baron* 6 *ſh.* 8 *d. & s'il ſoit count* 13 *ſh.* 4 *d.* batchelor is here a knight. As this bears little proportion to the preſent ſalleries here, it may not diſpleaſe the reader, to ſet down a few inſtances of the value of money in former times. About the year 900, king Alfred left to each of his daughters, 100 *l.* in money. In 1221, Joan, eldeſt daughter to king John, upon her marriage with Alexander, king of Scotland, had a dowry of 1000 *l.* per annum. In 1278, Edward the firſt, gave with his daughter Joan, contracted to the ſon of the king of the Romans, 10000 marks ſterling, and this to be returned in caſe the prince dies before her. In 1314, Elizabeth, wife of Robert Bruce, king of Scotland, being impriſoned here in England, was allowed for herſelf and family, 20 *s.* per week. In 1330, Joan of Oxford, nurſe to the black prince, had a penſion of 10 *l.* per annum. And Maud Plumpton, a rocker, had 10 marks. The penſions allowed by the king, to the cardinals, and great officers of the pope, who were, as it were retained, by the court of England, were, at the moſt, 50 marks a year. In 1351, workmen were to take their wages in wheat, at the rate of 10 *d.* a buſhel,

a

almoſt ruined, or deeply indebted by the late civil wars, were eaſily induced to come into it. A ſecond law was for encouragement of huſbandry, beſtowing parcels of land for tillage, by which means, the country farmers living more plentifully, would not be ſo eaſily ſeduced by their lords, to ſecond their turbulent attempts; the third entirely

a maſter-carpenter, maſon, or tyler, was allowed by the day 3 *d.* their journeymen 2 *d.* their ſervants, or boys 1½. In 1402, the ſalary of a lord chief juſtice of the king's bench, was 40 *l.* per annum. In 1408, a lord chief juſtice of the common-pleas, had 55 marks per annum. In 1545, the chief juſtice of the king's bench, had an addition of 30 *l.* to his ſalary, and each juſtice of the ſame bench and common-pleas, 20 *l.* and indeed adds the author, at the very beſt, the rewards, ſeem to have been far from equal to the faithful diſcharge of their moſt painful and moſt uſeful office: and yet it hath ſo pleaſed God to bleſs their labours, that I do not think I miſreckon, when I ſay, that the law hath laid the foundation of two thirds, of all the honours, and great eſtates in all England. I hope I ſhall be excuſed in lengthening this note with Sir Harry Spelman's complaint, that the laws have not ſufficient regard to the different price of things, in condemning people to death, for a theft to the value of 12 *d.* the original law having been made, when 12 *d.* was equal to 60 *s.* in our days. Chronicon Precioſum.

ſuppreſſed

ſuppreſſed retainers *, by which the barons, being ſtripped of their numerous retinues, could not raiſe any conſiderable force, as it chiefly conſiſted of ſuch followers †.

CHAP.

* Retainer, in law, a ſervant not menial or domeſtic, but only wearing his lord's livery and attending on ſpecial occaſions and ſupport of quarel; hence they were prohibited by ſeveral ſtatutes, as under Richard II. on pain of impriſonment, to which Edward IV. added a penalty of 5 *l.* per month. *Minſhul.*

† The barons muſt be allowed, on ſeveral occaſions, to have been uſeful barriers againſt the attempts of the throne; it was their firmneſs, which brought king John to grant the *magna charta*, and the *charta de foreſta*, of great advantage to the liberty of the ſubject in general; yet it muſt be alſo owned, the barons obtained ſuch power to themſelves, as in a great meaſure changed the conſtitution, from a monarchy to an ariſtocracy; however, in all the reigns, from king John to that of Richard the ſecond, the crown and the barons were ever upon ill terms. Several kings ſeem to have had a notion, to abate this evil, by ſplitting the great tenures, whereas they only increaſed it, for the ſmaller barons were as tenacious of privilege, as the greateſt peers in the land. Edward the firſt, the Engliſh Juſtinian, took infinitely a better method, by eſtabliſhing the rights of the houſe of commons; and here let it be obſerved, that by this prince, parliaments were brought into that order in which we ſee them, and knights, citizens, and burgeſſes, were made eſſential

CHAP. VI.

Duties of the nobility.

Virtue every-where the origin of nobility.

"VIRTUE is the higheſt exerciſe "and improvement of reaſon; "the integrity, the harmony, and juſt "balance of affection, the health, the "ſtrength, and beauty of the mind."

The eſſential parts of that aſſembly. The ſtrenuous oppoſition of the barons, againſt the leaſt encroachments from the crown, was no more than the natural reſult of their original power; Spelman, in his Remains ſays, "The Theinge or lord of the town (whom the Normans called barons) had of old, juriſdiction over them of his own town, (being as it were his colony) and, as Cornelius Tacitus ſaith, did Agricolis ſuis jus dicere. For thoſe, whom we now call tenants, were in thoſe ancient times, but huſbandmen dwelling upon the ſoil of the land, &c. Some change however ſeems to have been made in this, by a regulation of William the conqueror, whereby he ſettled his militia in ſuch a manner, as to have always 60,000 knights or horſemen, ready for his ſervice; and to make the ſupport of him their intereſt, he conſented, that the grants of their land, ſhould be hereditary, upon the condition of like obedience: he alſo provided that their tenants ſhould pay them

The perfection of virtue is to give reaſon free ſcope; to obey the authority of conſcience with alacrity; to exerciſe the

them due rents and ſervices, to enable thoſe knights to perform their contract with the king; and for the encouragement of theſe ſocmen, as they were called, it was ordained, that as long as they paid their rents, and performed their ſervices, they ſhould not be turned out of their farms.

It is certain, that Henry the ſeventh, was a very wiſe prince, and particularly in accompliſhing the long conceived project, of leſſning the nobility, in which he was ſo ſtrict, that being ſumptuouſly entertained at Henningham-caſtle in Eſſex, by the earl of Oxford, who had done him eminent ſervice at Boſworth-fight, and was now one of his chief officers. At the king's taking leave, the earl's ſervants, in their livery-coats and badges, making a long lane, the king called the earl to him, ſaying, "My Lord, I have heard much of your hoſpitality, and the good order and grandeur of your family, but now I ſee it far exceeds the report. All theſe handſom gentlemen and yeomen which are ranged on both ſides, are certainly your menial ſervants;" The earl ſmiling, ſaid, May it pleaſe your grace, that would redound to my diſadvantage; they are moſt of them my tenants and retainers, that come on this extraordinary occaſion. Upon this anſwer, the king, ſeemed to ſtart a little back, ſaying, "By my faith, my lord, I thank you for my kind entertainment, but I muſt not ſuffer my laws to be thus broken in my ſight: my attorney muſt ſpeak to your lordſhip about it." And it is further ſaid, it coſt this noble earl 15000 marks: This tenacious prince left a ſum behind him amounting to ſome millions, which Henry VIII. diſſipated within three years.

defenſive

defenſive paſſions with fortitude; the private with temperance; the public with juſtice; and all of them with prudence; that is, in a due proportion to each other, and an entire ſubſerviency to a calm diffuſive benevolence; to adore and love God with a diſintereſted, and unrivalled affection; and to acquieſce in his providence, with a joyful reſignation. Every approach to this ſtandard, is an approach to perfection and happineſs, and every deviation from it, to vice, and miſery. He, who has the ſtrongeſt original propenſion to ſuch ſentiments and diſpoſitions, has the beſt *natural* temper: He who cultivates them with the greateſt care, is the moſt *virtuous* character. And he, who with the largeſt capacities, has the beſt opportunities of improving and exerting them, and by the influence of his example may bring others to endeavour after the like happineſs, is the moſt *fortunate* man. The laſt article of this amiable encomium of virtue, may more particularly be applied to the nobility. And Iſocrates,

long

long before the nobility was diſtinguiſhed by titles and privileges, ſays, "That perſons in eminence, reſting in a common behaviour, are traitors to the Deity, diverting the gifts of that liberal providence, which has put power, wealth, family-reputation, and friends, into their hands; and injurious to themſelves, turning their backs upon that bliſsful commerce which the Gods entertain'd with good men." The vices of a nobleman not only debaſe him in the public eye,

Ils font oublier leur naiſſance,
Quand ils ne s'en ſouviennent pas.

but obſcure the luſtre of nobility itſelf. The moſt ſolid advantage of which, has been accounted, that it impoſes a neceſſity * on thoſe who are noble, not to degenerate

* If it be true, that the great do more in hazarding their lives, when ſurrounded with plenty, gaiety, pleaſure, and power, than a private man, who ventures only a life deſtined to labour and penury; it muſt alſo be confeſſed, that they have a proportionate compenſation; the higheſt preferments, glory, and reputation. The common ſoldier hath no thoughts of raiſing a name, he dies unnoticed

generate from the virtue of their anceſtors. He may be ſaid to reverſe the nature of things, and tear up by the roots the very origin of that ſtation, of that wealth, thoſe titles and privileges on which he values himſelf.

It is certain that preference and honourable diſtinctions have ever been paid to eminent virtue; and particularly to valour, not as a ferocious paſſion, not as graſping after power, or ſpreading deſolation, but exerted in defence of private right and innocence, or of the ſtate in general. Thus, the heroes moſt

unnoticed in the croud; he lived indeed after the ſame rate, but ſtill he lived; and this is one of the chief cauſes of the want of courage in low and ſervile conditions. On the contrary, they whoſe birth diſtinguiſhes them from the people, and expoſes them conſpicuouſly to their cenſure and praiſes, glorioufly exert themſelves, and riſe, even above their diſpoſition, if they were not naturally inclined to virtue. And this elevation of heart and mind, which they derive from their anceſtors, is the bravery ſo univerſal to the nobility, and perhaps nobility itſelf.

Preſs me into the ſervice as a common ſoldier, I am Therſites: Put me at the head of an army, for which I am anſwerable to all Europe, I am Achilles. Bruyere's characters.

cheriſhed by their countrymen were perſons of amiable characters, and favours conferred on them raiſed an expectation of a ſuitable elevation in all their manners, being placed on high as models of both military and ſocial virtues. Afterwards, in order to maintain both their dignity and virtue, and eſpecially a martial ſpirit, (in all times the criterion of nobility, and ſo neceſſary to the diſcharge of many important duties,) they inſtituted certain laws, exerciſes, under ordinances and ſtatutes; and theſe were inviolably obſerved.

Tournaments.

Franciſcus Modius, in his *Pandectæ triumphales*, ſays, That Henry *the fowler*, emperor of Germany, in order to martialiſe his nobility, and make them perfect in horſemanſhip, inſtituted the firſt public tournament, *anno* 938, but that they had been long before uſed in France and England, his ſecretary procuring a tranſcript of the laws relating to that exerciſe, ſome of which were as follows.

1. Any

1. Any of the nobility abuſing by word or deed, the honour of a maid, wife, or widow, or forcibly poſſeſſing himſelf of their goods, to be rejected.

2. Whoſoever hath not defended his fellow-citizens, his ſervants, or other perſons, putting themſelves, into his ſafe-guard, is to be excluded juſts, and tournays.

3. Whoſoever ſhall treacherouſly ſurpriſe his enemy, otherwiſe than allowed by the laws of war, burning his houſes and farm, and ſpoiling his grounds.

4. Whoſoever ſhall oppreſs his ſubjects or ſervants, for augmenting his own private demeſnes, and ſhall, within his dependencies, lay any duty on foreign commodities, by means of which ſtrangers may be ill uſed, and commerce hindered.

5. Any one convicted of adultery, or of ſeducing a religious ſiſter.

6. Any one who not ſatisfied with his patrimony, or what he has otherwiſe gained and conquered, or receives in wages or penſion from his prince, or

ſhall deal in goods, fruits or commodities, under borrowed names, he himſelf not daring to avouch it.

7. Any preſenting himſelf at a juſt and tournay under pretence of being ennobled by his prince; and cannot verify his nobility, in the four degrees by father's ſide, or at leaſt by the mother's, ſuch a gentleman of the firſt edition, ought to be beaten with ſwitches, his horſe taken from him, and he to ride the railes.

8. Any perſon of noble extraction, who has married for covetouſneſs, or delight, a woman of mean condition*, was alſo to be ſwitched, ſtripped of his armour, to loſe his horſe, and to ride the railes, ſo long as the aſſembly laſted; at the ending of which, he was to be

* Of this we meet with a ſignal inſtance in the life of William, Landgrave of Heſſe, who having miſ-matched himſelf in a ſecond marriage, the children of the latter bed, put in their claim to be co-heirs with thoſe of the firſt, but the affair being brought before a general diet of Germany, they were nonſuited, and declared incapable of ſucceeding to any ſhare or part of the Landgrave's goods or poſſeſſions.

pro-

proclaimed by the herald, incapable and unworthy for ever to appear before noblemen; and his children, to the third degree, declared ignoble.

Theſe muſt be allowed excellent laws for preſerving the luſtre of nobility, and well calculated to work upon that ſtrong principle, the love of eſteem and glory, and the dread of ignominy.

The day of theſe tournaments was proclaimed by the herald, and notice of it was ſent, with great ceremony, to foreign courts; and all admitted to act in the tournay, confeſſed their ſins to prieſts appointed for that purpoſe. The only arms uſed at firſt, were a knight's club *, and a ſword, and a lance with a blunted head, to juſt againſt another, they were likewiſe to make oath, to forget all hatred, rancour, and grudge; and that their only intent was fairly to ſignalize themſelves by acts of chivalry. Kings, princes, and dukes, were diſpenſed from

* This club, was a ſtaff of crab-tree, heavy and very knotty; the haft, or handle of which, was garniſhed with gold or ſilver, and the whole damaſked with divers figures and devices.

acting in theſe juſts and tournaments, *Regiæ ducalis & principalis dignitatis perſonæ ab his ludis equeſtribus ſe abſtinent, quoniam reges ſui regni corona, principes & duces ferto caput adumbrare contenti, non ſolent perinde ut alii in his ludicris pugnis decertare, nec ulli ſodalitati ſe inſerere debent* †.

At the concluſion of the tournament, which generally laſted a fortnight, the combatants ſupped at the general banquet of their own country, or province; when the ladies, with great applauſe, delivered the prizes given by the prince of the tournament, to thoſe whom the judges had declared victors: after which thanks were returned on all ſides to the prince, who defrayed the charges of ſuch a magnificent aſſembly, and to the judges of the tournament *.

But

† Our Henry the VIIIth, was known to take great delight in thoſe exerciſes, and gave ſeveral, with the moſt profuſe magnificence, and was ſo expert at them, being withal of extraordinary ſtrength, that at a tournament at Greenwich he broke no leſs than ſeven lances.

* Chambers gives the following account of theſe exerciſes. The firſt tournaments were only tilting at each other with reeds, as the *juego de cannas*

But theſe exerciſes it ſeems not paſſing without tragical incidents, they were forbid by ſeveral popes, and particularly by Alexander the third, in the following ſevere manner, *Deteſtabiles illas nundinas,*

cannas in Spain, which they derive from the Moors, and were diſtinguiſhed from juſts, which were careers or combats with blunted lances and ſwords.

Others ſay it was a tournament when there was only one quadrill or troop of a ſide, and that a juſt conſiſted of ſeveral.

The prince who publiſhed the tournament, uſed to ſend a king at arms with a ſafe conduct to foreign courts, ſignifying that he intended a tournament, and a claſhing of ſwords in the preſence of ladies and damſels. They firſt engaged man againſt man, then troop againſt troop; and after the combat, the judges alotted the prize to the beſt horſeman and ſtriker of ſwords, who was conducted in pomp to the lady of the tournament, whom, for her thanks in the moſt ſolemn reſpect, he ſaluted, and her two damſels.

Theſe exerciſes were the principal diverſion of the 13th and 14th centuries, but it appears from the chronicle of Tours, that the inventor of them was Geoffry, lord of Preuille, about the year 1066. The word, according to Menar, is derived from the Latin, *tornenſis*, or the French *tourner*; but not from any turning or motions of the combatants, becauſe the ſcene of action was of a circular figure, in imitation of the ancient Circi, and it is not improbable, that they were improvements on the Olympic and circaſſian games. Amidſt other accidents, Henry II. king of France, died of a wound received at a tournament.

vel ferias, quas vulgo tourneamenta vocant, in quibus milites, &c. condicto die, convenire ſolent, & ad oſtentationem virium ſuarum & audaciæ, temere congredi, unde mortes hominum & animarum pericula ſæpe provèniunt, fieri prohibemus. Quod ſi quis eorum, ibi mortuus fuerit, quamvis ei poſcenti poenitentiæ non denegentur, eccleſiaſtica tamen careat ſepultura.

The German hiſtorians reckon thirty-ſix tournaments *, the firſt was in the year

* The following ſhort accounts of the Engliſh tournaments, it is hoped, will not be thought foreign to to the ſubject.

Edward III. to ſhew the French Ambaſſadors the gallantry of his ſubjects, entertained them with a tournament of 18 knights in each party, which was performed in Cheapſide, the ſtreets being covered with ſand to prevent the horſes ſlipping. A ſtately ſcaffold had been erected for the queen and her ladies, which breaking down, though no hurt was done, the king being paſſionately fond of his queen, ſwore he would puniſh the workmen in an exemplary manner, but the queen, on her knees, interceded for them; that both king and people were charmed with her goodneſs.

In the reign of Edward IV. Roch, who was better known by the appellation of the baſtard of Burgundy, being greatly celebrated for his acts of chivalry, came over and challenged the lord Scales, brother to the queen, to juſt with him, which Scales readily accepting, the king com-

year 938; the laſt of which was in 1487. And though they fell under the diſplea-

ſure

commanded liſts to be prepared in Smithfield (wherein to perform combat) of the length of three hundred and ſeventy feet, and breadth of two hundred and ſixty, with magnificent galleries for the reception of the illuſtrious ſpectators; where aſſembled the king, the nobility and principal gentry of both ſexes. The firſt day they juſted with ſpears, without a viſible advantage on either ſide. The ſecond they tournay'd on horſe-back, when the lord Scales, having a long ſpike fix'd on his chaffron (pommel of his ſaddle) which as they enclos'd, ran into the noſtrils of the baſtard's horſe, by the anguiſh whereof, he rear'd himſelf with that violence, that he tumbled backwards, whereby his rider was unfortunately unhors'd, which occaſion'd him to cry out, *that he could not hold by the clouds*; and that tho' his horſe had fail'd him, he would not fail to meet his adverſary the next day; which being accordingly performed, they fought on foot with pole-axes, when Scales ſoon penetrating the baſtard's helmet, the king threw down his warder, whereupon they were immediately parted by the marſhal. But the baſtard inſiſting upon fighting out that weapon, a council was held to deliberate thereon; the reſult whereof was, that if he perſiſted in renewing the combat he muſt, according to the law of arms, be deliver'd to his adverſary in the ſame condition he was in at his horſe's misfortune. But rather than ſubmit to thoſe terms he wav'd his pretenſion.

King Richard II. deſigning to hold a tournament at London on the Sunday after Michaelmas, ſent divers heralds to make proclamations of it in all the

ſure of the church, yet Sebaſtian Munſter, a judicious writer in the third book of his Coſmographies, thus laments the diſcontinuance of them. "After which we "have ſeen the nobility openly plunge "themſelves into the puddle of all vices, "without ſhame or reſtraint; whereas,

the principal courts of Europe, and accordingly not a few princes and great numbers of the prime nobility reſorted hither from France, Germany, the Netherlands, &c. This ſolemnity began on Sunday afternoon, from the tower of London, with a pompous cavalcade of ſixty ladies, each leading an armed knight by a ſilver chain, being attended by their 'ſquires of honour, and paſſing through Cheapſide, rode to Smithfield, where the juſts continued ſeveral days with magnificent variety of noble entertainments; on which occaſion the king kept open houſe at the biſhop of London's palace, for the entertainment of all perſons of diſtinction, and every night concluded with a ball. Froiſſart, *anno* 1390.

Not long after this, three Scotch champions challenged three Engliſh, to fight at juſts, which was performed in Smithfield, with the greateſt ſolemnity, the earl of Mar againſt the lord Nottingham; Sir William Dorrell, the king of Scotland's banner-bearer, againſt Sir Pierce Courtney; the king of England's ſtandard-bearer, Cockburne, Eſq; againſt Sir Nicholas Hawkirke. Mar, and Cockburne were unhorſed, but the two ſtandard-bearers were ſo well matched, that betwixt them it was a drawn battle. Maitland's hiſtory of London.

"the

" the ignominy which they received " publickly in theſe tournays, beſides " the irreproachable character required " to act in them, ſerved as a caution, as " a curb in a young colt's mouth, to " reſtrain our gentlemen upon the terms " of virtue and honour. By extirpation " of theſe honourable exerciſes among " them, they became even proſtituted to " all vile abuſes, without obſerving any " real goodneſs, or ſo much as outward " decency." Joannes Monacus majoris, Monaſterii, in his life of Jeffrey Plantagenet *, ſon of Foulque, earl of Anjou, gives the following ſplendid deſcription of a celebrated tournament, at his marriage with Maude, daughter of the king of England, and widow to the emperor Henry V.

Sublimato Patre ejus Fulcone in Hieroſolymitanum Regem. Conſul Gauffredus armo-

* The original meaning of this famous word, is no more than *plante à geneſte, i. e.* broom-ſprig, da Jeffrey was ſo called, from Lilways wearing one in his hat or helmet. The iſſue of this marriage was Henry II. king of England, and in Plantagenet's family the crown continued till the death of Richard III. at Boſworth fight, during a ſpace of betwixt three and four hundred years.

rum

rum exercitiis, & laudis adipiſcendæ operam dedit. Nonnullo tempore elapſo in arenoſa montis planicie à Britonibus & Normannis Torneamenti dies aſſignata eſt. Conveniunt ad Normannorum partis ſubſidia dominus comes Flandrenſis, Theobaudus comes Bleſenſis, & ejus frater Stephanus Mauritaniæ dominus. Hi tres Henrici regis Anglorum erant nepotes. Convenit, & ipſe conſul cum ſuis, eorum multitudini numerum accreſcens.

Stabant ex adverſo Britannorum acies armis quidem & animis ſtrenuæ, ſed numero pauciores. Videns itaque conſul Andegauenſis Gauffredus Britannicæ cohortis imparem congreſſum, avulſus à multitudine, ad paucos ſe contulit, ipſis opem laturus: fit congreſſus, commiſcentur acies, fit multus armorum ſtrepitus, ſonant æditui, turbæ multiplicis varia vox intonat, dum dextrales diſſonos hinnitus, à clypeis aureis ſole relucentibus, mons ipſe Michaeliticus reſplenduit. Animantur viri ad certamen, franguntur haſtæ fraxineæ, emutilantur enſes: jam pede pes teritur, umbone repellitur umbo, evacuantur ſellæ, ſupinantur equites, equi, dejectis ſeſſoribus ſuis, ruptis habenis, hinniendo vagantur. Partis adverſæ

ſingu-

ſingularis terror, Gauffredus averſarios impetit, huc atque illuc diſcurrens, ſuis ſubvenire ſatagit, lanceâ multos dejicit, enſe ictus ingeminans innumeros vita expellit. Sequuntur Britones ſpem victoriæ ducem prævium, varia mortium genera adverſariis inferentes. Inſtat Andegauenſis leone ferocior, inſtat phalanx Britannica jam de victoriâ præſumens. Normanni, ſi quidem immenſo certamine fatigati, terga dantes fugam arripiunt, & multitudo à paucis confecta, ad caſtra repedare compellitur. Normanni vero confuſione inopinata dejecti, ſingulare certamen Britonibus proponunt.

A tranſmarinis namque partibus, torneamenti famâ deducente, miles Sanſonicus giganteæ magnitudinis advenerat. In cujus viribus, & audaciâ confidentes, de victoria præſumebant. De caſtris igitur Normannorum homo ille humanitatis excedens metas progrediens, ſtans in loco eminentiori, agminibus Britonum improperans, provocat eos, ut quilibet eorum ſingulari congreſſu cum ipſo decertaret.

Expalluit vultus audientium, & fortium robur emarcuit: Quippe verebantur ſinguli

cum

tum tantæ enormitatis bellua ſingulare inire certamen. Intuens vero gener regis magnanimis natura viros, ad inuſitatum provocatoris boatum, tanquam, enerves, & ejulatos diſolui ſpiritu; ille objecti impatiens improperii, proſilit in equum, arma corripit, & ſpectantibus undequoque catervis ſingularem cum gigantes milite iniuit congreſſum. Fit altercatio dura, vir etenim ille humanæ virtutis modum excedens Lanceam quaſi liciatorium habenis, Andegauenſeum impetit, & ejus ſcutum, & loricam, non ſine ſanguinis effuſione perforat. Stat andegauenſis tanquam equo radicatus immobilis, & impetitorem ſuum lancea transverberans, dejecit, & dejecto deſuper ſtans, enſe caput abſcidit. Equum vero victi, victrici manu deducens cum Normannorum ignominia, & ſuorum gloria Tropos potitus, glorioſus victor abſcedit.

As to the office of herald, one branch of which was to regulate theſe tournaments; it appears from the Bible to have been of great antiquity and honour. The fierce Achilles in Homer, treats the heralds, ſent to demand Briſeis, with unuſual reſpect. The Romans called them *Feciales*,

Feciales, quod fidei publicæ inter populos præerant, nam per hos fiebat ut juſtum conficeretur bellum, & ut fœdere, fides pacis conſtitueretur. *Numa Pompilius* inſtituted a college of them, who wore coats of arms of the fineſt white cloth, trimmed with ſilk fringe, with theſe four letters embroidered in gold, S. P. Q. R; and in the imperial times their coats were purple and ſcarlet, an eagle of the ſame colour, with the emperor's name. The creation of them, in after times, came by a kind of baptiſm; the prince, all the court being aſſembled, pouring a cup full of wine on the head of the herald: At the inſtitution of a military order of knighthood, a herald of the order was likewiſe created, as Garter, Saint Michael, Golden Fleece, Porcupine, *&c.* The office of Heralds, was to proclaim war, and tournaments, and to regulate ſolemnities, and their perſons were reckoned little leſs ſacred than thoſe of an ambaſſador *. Among the

* I would not be thought to detract from the dignity of the heralds office, in ſaying, that perſons charged with public meſſages, are by the laws of nations,

the Romans, when they threatned their enemies with an inveterate war, the Feciales,

nations entitled to a like ſafety and regard. Paulus Tovianus relates, that Fabricio Maramaldo made no ſcruple to kill with his own hand Ferruccio, the Florentine commiſſary, for having during the ſiege of Tolaterra, cauſed to be hanged a drummer whom he had ſent into the town. Likewiſe in 1554, whilſt the two armies of the emperor Charles V. and Henry II. king of France, lay encamped at a ſmall diſtance, a French trumpeter who had been ſent to the German camp to enquire after a priſoner of note, being robbed and ſtripped, the king vehemently complained of it to the duke of Savoy, general of the imperialiſts; who, beſides ordering the ſtricteſt enquiry to be made after the offenders, gave the trumpeter a fine horſe out of his own ſtable, and a rich new coat, and had him eſcorted to the French camp; at this the king was no leſs pleaſed with the generoſity of the general, than he had been incenſed at the brutality of the ſoldiers. M. de Feuguires, and a great number of other French officers, being taken priſoners, and marſhal de G. daily receiving complaints of the ill uſage of them, he ſent a trumpeter with a reſentful meſſage to baron Beck, governor of Luxemburg, where they were detained, and among other things, That the little regard he ſhewed to perſons of quality who had fallen into his hands, was a plain proof he had been a poſt-boy; which, indeed, was no more than truth. The trumpeter roundly delivered his meſſage, and the baron de Beck, rough as he was, did not offer to ſpeak one angry word to the trumpeter, but bid him acquaint the marſhal, that it was true, he owed nothing to his birth, but that if the marſhal had been

ales, threw a flaming torch into their land. The Scythians, Tartars, and the Northern nations of Europe, were not without heralds, who, upon any conteſt, were ſent in all the ſolemnity of thoſe days, to offer their enemies, the choice of wind, or ſword, *i. e.* peace, or war. Acoſta, in his hiſtory of India, relates of ſome American nations, "That they "defied their enemies, by ſending them "preſents of defenſive arms; the heralds "rubbing their foreheads with a certain "ointment uſed in embalming the "dead, and putting on their heads the "ſightly feathers, with which a corps "was decorated before its interment,

been a poſtboy, he would have been ſo ſtill.' This repartee pleaſed even at the court of France, and the more as the marſhal valued himſelf upon the poignancy of his wit, and conſequently delighted in exerciſing it. And here may I be permitted to add a repartee, than which, the noble author who was a very good judge, thinks all modern hiſtory does not afford a better; it happened at the council of Trent, when after a ſpeech of a French biſhop againſt the corruptions of the church of Rome, and for a reformation of the church, an Italian prelate, ſaying with a ſneer, *Gallus cantat*, the biſhop immediately anſwered, *Utinam ad hujus Galli cantum Petrus reſipiſceret.*

" with this plain ſpeech, Seeing you'll " not accept of peace, we'll take away " the life of you, and yours *.

For

* Among the archives of Turin, is an account of ſomething ſingular on this head; In the year 1544, the emperor of Germany, ſent a herald of arms to Berne, to demand of the government, that they ſhould reſtore to the duke of Savoy, ſome lands which they detained, under pretence of arrears due to them; at his arrival before the city, he moved up to one of the gates, ſtanding on the bridge in his coat of arms with his imperial blazon, on each ſide of him was a gentleman bare headed, holding the border of his coat of arms, two other gentlemen ſtood before and two behind, the trumpeter who marched at the head of the proceſſion, having ſounded three flouriſhes, the herald delivered in the German language the following words, " From his imperial majeſty. At- " tend to the command of his majeſty, and the " decree of his ſacred council, we ſummon Berne, " and its dependencies, to acknowledge, and de- " clare themſelves the ſubjects and vaſſals, of his " imperial majeſty, themſelves, their effects, and " poſſeſſions, and this within twenty-four hours of " our declaration, on failure of which we declare " war againſt you with fire and ſword. Upon which one of the gentlemen ſtepped forward with a lighted flambeau and lifted it up, after which, the herald called out with a loud voice, " war to " blood, war with fire;" then a ſecond gentleman coming up with a naked ſword, brandiſhed it againſt the city, then the herald cried out, ' war ' with ſword,' having gone through this ceremony they remained on the bridge, whither the council

of

For the recompence and advancement of virtue and even of piety; orders of knight-

of the city came out to them, and with many reſpectful ſalutations, deſired the herald, and his company to come into the city, and having paſſed ſecurities with him, they conducted him to one of the moſt ſplendid houſes, till they could give him a final anſwer the next day, ſeveral of the magiſtracy ſupping with him. The next day at ſix in the morning, he moved towards the town-houſe, preceded by his trumpeters, and two gentlemen, each carrying a lighted flambeau, betwixt two others who held his borders of his coats of arms, and followed by two, each bearing a naked ſword; to the no ſmall conſternation of the quiet citizens, unuſed to ſuch menacing ſights; at the gate of the town houſe the magiſtrates requeſted the herald to ſtay till they had gone through their deliberation, which being ſoon ended, they went to receive the herald, all the doors being thrown open to give admittance to the people. The herald having enlarged on what he had delivered at the bridge, concluded that if they did not obey this imperial edict, he declared war with fire, and ſword againſt them. After this ſpeech, the prætor of the city roſe up uncovered, and aſked the herald for his credentials, which drawing out of his boſom, and kiſſing them, he delivered them to the prætor, who received them in the ſame manner, and gave them to the recorder to read; after which the prætor ſaid, "Gentlemen of the city, "will you not agree to what I ſhall anſwer, ac-"cording as has been concluded in council?" perceiving that they unanimouſly held up their hands in token of conſent, he ſaid to the herald, that the city was ready to acknowledge the em-

knighthood were likewiſe inſtituted, as is evident from the ceremonies, and the oaths of the knights at their creation; thoſe of the ſuperior orders may be ſuppoſed to contain, a profeſſion to endeavour after the higheſt attainments in every virtue, ſince at the creation of a ſimple knight, he bathed * himſelf as an emblem of the ſtrict purity he was to obſerve, and the prelate delivering the ſword into his hands with theſe words, *Serve Chriſti ſis miles in nomine patris &*

peror, provided he would preſerve them in their franchiſes, as other emperors have done, and not oblige them to ſerve againſt any one with whom they had given their faith of alliance. That as to the duke of Savoy's lands, they had ſeized on them as ſecurities for arrears, which when paid they were ready to ſurrender, this produced a further conference, which terminated ſo peaceably, that the herald returned to his lodgings, with the flambeaux put out, and the ſword ſheath'd, and upon an accommodation of the affair, was diſmiſſed with great honours.

* The knights of the Bath received their name from a like ceremony, and the oath of that order is, "To love God above all things, to defend the "church, to honour the king, and maintain his "royal rights, to protect and ſuccour widows, "maids, and orphans, to the utmoſt of their pow-"er." Glorious words! and happy they who act up to them.

filii & ſpiritus ſancti, Amen, this injunction was added,

Accipe hunc gladium tuum Dei benedictione collatum, in quo per virtutem ſpiritus ſancti reſiſtere & ejicere valeas omnes inimicos tuos, & cunctos ſanctæ eccleſiæ adverſarios, atque protegere caſtra Dei, per auxilium invictiſſimi triumphatoris Domini noſtri Jeſu Chriſti. Eſto memor illius de quo prophetarit Pſalmiſta dicens. Accingere gladiotuo ſuper femur tuum potentiſſime. Ut in hoc per eundem, vim æquitatis exerceas, molem iniquitatis potenter deſtruas, & ſanctam Dei eccleſiam, ejuſque fideles propugnes, ac protegas, nec minus in fide falſos, quam chriſtiani nominis hoſtes execreris, & deſtruas; viduas, & pupillos clementer adjuves, atque defendas, deſolata reſtaures; reſtaurata conſerves; ulciſcaris injuſta; confirmes bene diſpoſita; quatenus hæc in agendo, virtutum triumpho glorioſus, juſtitiæque cultor egregius, cum mundi ſalvatore, ſine fine merearis ad cæleſtia gaudia pervenire. Qui cum patre, & ſpiritus ſancto vivit, & regnat Deus, per omnia ſæcula ſæculorum. Amen.

Accordingly hiſtory is full of exploits and acts of religion of knights of theſe orders. The Templars, before their monſtrous degeneracy, ſignalized themſelves by the moſt daring bravery, and moſt auſtere devotion; as is ſaid of them *non quot hoſtes ſed ubi percontabantur, leones in bello, agni in domo.* What an idea does the motto of the order of Malta, *nil ſupra nec infra*, give of thoſe gentlemen, who are to this day a confeſſed proof of the utility of orders, maintained in the purity of their original inſtitutes.

The northern ferocity in ancient times, as it was extremely reſentful in the point of honour, ſo it diſdained any other revenge, than by the blood, and ignominy of the perſon who had done the injury. Crantzius derives ſingle combats from the Danes, * who thus terminated all their

* From that fierce nation likewiſe are derived moſt of our ſanguinary laws, c. 5. particularly it was Canutus, a Daniſh king of England, who in his ſyſtem of laws eſtabliſhed at Wincheſter, 1036, ordered, that not only burglary, but robbery ſhould be puniſhed with death. Whereas, before this time, all criminals whatever might redeem them-

their diſputes, not only both civil and criminal, as a more expeditious way than by proceſſes, but likewiſe more certain of a juſt deciſion, on a ſuppoſition that heaven would always declare itſelf on the right ſide; and as evil cuſtoms coinciding with our wretched depravity, ſoon ſpread, ſo was this adopted by moſt European nations: * The accuſer, if a perſon of quality, made declaration before the king, that the adverſe party was a traitor, or had done him groſs injury, offering to juſtify

themſelves, (which ſeems another extreme,) by paying money to their king, their lords, or the perſon injured.

* It is known to have been a perſuaſion of the ancient French, that a combat permitted by the prince, was the judgment of God; as appears from Gregory de Tours, who relates, that Gonthron Boſon, being ſuſpected of treaſonable deſigns by the king of Burgundy, addreſſed him in this manner, "Thou, my lord and king, ſitteſt on thy "royal throne, and none dare preſume to contra-"dict what cometh from thy mouth. I proteſt "myſelf innocent, but if there be any who ſecretly "brings this accuſation againſt me, let him now "come forth and declare it. Thou, O moſt reli-"gious king, committeſt this matter to the judg-"ment of God, that he may determine it when he "ſhall behold us fighting.

what he ſaid by combat, and threw down his glove, which the adverſary, or his proxy was to take up: Then the field of battle, the day, and arms, for the combatants, were aſſigned by the king.

Ladies accuſed, or accuſing, were allowed to preſent their champions; of this there is an inſtance in Fauchet, that a counteſs of Gaſtinois accuſed of the death of her huſband, he having been found dead in the bed by her; a day of combat was aſſigned to Gontran the accuſer, and the accuſed counteſs, the parties appeared in mourning; the accuſer perſiſting in his charge, offered his gage of battle, againſt any champion the counteſs ſhould produce; all ſhe could do was to offer to juſtify herſelf by the moſt ſolemn oaths; but from the known virtues, and conjugal affection of the deceaſed, the crime appeared ſo heinous, and circumſtances were ſo ſtrong againſt her, that ſhe was now on the point of loſing her honour, her eſtate, and life; when ſuddenly the count of Anjou appeared before the king, and offered to

combat

combat Gontran, which being immediately performed, he cut off the falſe accuſer's head. The deceaſed huſband of this lady was Ingelaer, whoſe ſon by her was Fulk the *red-haired* grandfather to Geoffrey, count of Anjou, and whoſe ſucceſſors upon failure of the Norman line, aſcended the throne of England.

Peter Matthieu relates, "that in the "reign of Charles the ninth, literature "was at ſuch a low ebb in France, that "a nobleman was not to be found in "Paris qualified to attend his brother, "then going to be crowned king of "Poland; the baron De Miliau, being "ſent for on this occaſion, happened to "meet with the baron De Viteaux, who "owing him a grudge piſtolled him, "De Miliau's ſon, at that time but a "youth, made a vow, not to bury his "father till he had revenged him: after "ſome years he preſented himſelf before "the king, challenged De Viteaux, and "killed him."

But the moſt ſingular combat, is that related by Julius Scaliger, to have happened

pened in the court of Charles the fifth, king of France; the chevalier Macaire watched an opportunity to kill a gentleman of the name of Montdidier, which at length he did in a wood near Paris, where he had only a Greyhound with him, and after putting him under ground, returned to court, with his uſual gaiety; the dog remained on the ſpot till hunger forced him to go for food to ſome houſe where his maſter was known, and then he immediately returned to his ſtation, thus he continued to do, till ſome, from his continual whining, obſerving him, determined to follow him: They ſaw him ſtop ſhort, and remain in a place where the earth had been newly dug up, and there they found Montdidier's body. After it was removed and buried ſuitably to his quality, the poor dog took to a relation of his deceaſed maſter, and uſed to follow him in his walks; one day getting ſight of the murderer of his maſter, he flew towards him, and it was with great difficulty he was made to let go his hold, and whenever

he

he happened to ſee the chevalier Macaire, he ſtill ſhewed the ſame furious deſire of revenge; the king being informed of it, ordered the dog to be brought into the hall of the palace, and Macaire to be concealed amidſt the company, when the dog run towards the murderer and ſingled him out with his uſual fury, upon which, the king urged Macaire to declare the truth, but he ſtill inſiſting upon his innocence, the king ordered the matter to be decided by ſingle combat, that Macaire ſhould have a club for his weapon, and that the hound ſhould be allowed a large caſk for its retreat: Macaire was for exerciſing his club, but the dog, too nimble for him, eluded his ſtrokes, and took his time ſo well, that he ſeized him by the throat, which brought him to acknowledge the fact; and ſome inſiſted, that by the law of arms, the dog ſhould make an end of the murderer; but the king ordered him to be executed *. It

* In the reign of Edward the 2d, John Upton, a notary in Feverſham, accuſed John Downe, Gent. his neighbour, of a deſign of murdering the king

It is not to be ſuppoſed, that the victory was always on the ſide of juſtice,

king on the day of his coronation; but he not being able to prove the ſame, offer'd to make good the accuſation by combat, which being accepted of by Downe, they met in Smithfield, on the 14th of January, where, in preſence of the king, and nobility, they fought a long and deſperate battle, which moving the king with compaſſion, he pardon'd them both.

No longer ago than the reign of king Charles the firſt, one Ramſey, an agent of the marquis of Hamilton's, then raiſing forces in Scotland, for an expedition into Germany, was charged by lord Rea, a Scotch nobleman, with having told him, that the new levies were to be imployed in aſſerting the marquis's claim to the crown of Scotland; when Ramſey was ſummoned before the king and council, he abſolutely denied to have ſpoke words of any ſuch import, which on the other hand, Rea continued to affirm, and there being no proof on either ſide; Ramſey demanded, that he might clear himſelf by ſingle combat; which Rea as readily accepting, the king granted a day, which was proclaimed with great ſolemnity; and the champions, with their attendants all ſuperbly dreſſed, mounted the ſtage; but juſt as the combat was going to begin, the king's prohibition interpoſed, and the affair ended in the trial of lord Ochiltree, for charging the Marquis with treaſon upon Rea's information, for which he was ſentenced to perpetual impriſonment, the marquis being ſo clear of any ſuch deſign, that when he received the firſt account of it, which was from king Charles's own mouth, he offered to ſtand trial, and requeſted to be put under arreſt.

and

and accordingly, the Lord Deſſins relates, that in the year 1586, a ſingle combat was fought betwixt De Carouge, and De Gris; the wife of the former, complaining to him at his return from a voyage, that ſhe had been abuſed by Le Gris, who denying the fact, the combat was fought in the preſence of king Charles the ſixth; before Carouge engaged he went to his wife, who was in a chariot covered with black, and ſaid to her, lady, I am here come to fight, upon your quarrel, with Le Gris; you know if my cauſe is juſt; My lord, anſwered ſhe, the cauſe is good; upon this he kiſſed his lady, and croſſing himſelf, moved towards his enemy; Le Gris fell, and Carouge treading upon him with his ſword drawn, demanded of him to tell the truth, to which, Le Gris made anſwer, that before God, and upon his damnation, he had never committed the act; yet Carouge, prepoſſeſſed in favour of his ſpouſe, thruſt his ſword through his body; a lamentable cataſtrophe! for his innocence afterwards plainly appeared,

peared, the perſon guilty, dying of a racking diſeaſe, confeſſed it with terrible remorſe. It is to be obſerved, that if the champion of the accuſed party fell, he alſo ſuffered death, and it was the ſame in regard to the accuſer, but the conquering party, whatever circumſtances, or proof of his guilt, might afterwards come to light, was not liable to any future challenge, or juridical procedures.

Theſe ſanguinary practices, were not without their laws, and religious ceremonies, and theſe ſtrictly obſerved. If one knight challenged another, they were to fight on horſeback; if a gentleman challenged a yeoman, the combat was to be on foot; yeomen not being allowed to fight on horſeback. And before the combat, a herald gave notice, that no man (the guards of the field excepted) ſhould have any weapon, or arms on him; unleſs the guards of the field, no man whatever during the combat was to be on horſeback, on the penalty, to gentlemen, of loſing their horſes, and to ſervants an

ear

ear *, all perſons were to ſeat themſelves on banks, or on the level ground, that every one might fairly ſee the combatants; the delinquent in this caſe loſt a horſe; no man, under forfeiture of all his poſſeſſions, was to ſpeak, ſpit, cry out, or make any ſign or geſture.

Among ſeveral other oaths of the two combatants, were the following, and to be taken with the right hand upon a crucifix.

"I appellant, do ſwear upon this re-
"membrance of our Lord and Saviour
"Jeſus Chriſt, and on the ſacred Evan-
"geliſts, and on the faith of a true
"chriſtian, and by my ſacred baptiſm,
"that I have certainly a good, juſt,
"and holy quarrel, and by good right

* In France it was formerly an ordinary puniſhment for ſervants to have an ear cut off. Gregory of Tours, in his hiſtory of France, ſays, *ſervus bis aut ter a fuga reductus auris unius inciſione mulctatur*; and in ſome caſes the puniſhment was ſtill ſeverer, the Salic law, in the article *De adulteriis ancillarum*, enjoins, that where an *ancilla* was either to pay CCXL *denarios qui faciunt ſollidos ſex*; or to ſuffer CCXL ſtripes, a *ſervus* was to be emaſculated, or pay double that ſum.

"have

"have challenged ——— (then ſignifying "the crime in the moſt aggravating "terms) and who hath a moſt falſe "and wicked quarrel to defend; and "this will I make good this day, with "my body againſt his, by the help of "God, of our lady, and of my lord St. "George, that renowned and worthy "knight."

"I defendant, ſwear upon this re-"membrance, of the paſſion of our "Lord and Saviour Jeſus Chriſt, and "on the ſacred Evangeliſts, and on the "faith of a true chriſtian, and by the "bleſſed baptiſm, that I have, and "think firmly to have, a good, holy, "and juſt quarrel, and good right to "defend myſelf by this gage of battle "againſt ——— ——— who falſely and "wickedly hath accuſed me; falſe and "wicked man as he is, ſo to challenge "me; and this will I make good upon "him this day, with my body againſt "his: So help me God, our lady, and "my lord St. George, that renowned "and worthy knight."

After

After the latter, the marſhal taking the two parties by the right hands, and cloſing them, the prieſt was to remind them of the paſſion of our Lord Jeſus Chriſt, the perdition of him who ſhould fall, both in ſoul and body, and the awful oaths they had taken; then, to adviſe them to truſt to the mercy of the king, rather than run the hazard of the wrath of God.

If this admonition of the prieſt made no impreſſion, the marſhal turning to the challenger, cauſed him to take the following oath, which was the laſt.

"I the appellant, do ſwear upon this "true figure of the paſſion of our Lord "and Saviour Jeſus Chriſt, and on theſe "holy evangeliſts here, on the faith of "baptiſm as a chriſtian, which I hold of "my true God; on the moſt ſovereign "joys of paradiſe, which I utterly re-"nounce for the moſt bitter pains of "hell; upon my ſoul, my life, and upon "mine honour, that I have a good, "holy and juſt quarrel to combat with "this falſe, vile, and wicked man here

" before me: and in this caſe, I call " God for my true judge, our lady, and " my lord St. George, that renowned " and worthy knight. And for this " faithfully (by the oaths which I have " taken) I intend not to bear upon my- " ſelf, nor upon my horſe, words, or " ſtones, herbs, charms, ſorceries, " drinks, characters, invocations of " ſpirits, or any other thing, wherein I " might place the leaſt hope of helping " me, and to hurt him: nor have I any " other recourſe, but to God only, and " confidence in my right, by my body, " by my horſe, and by mine arm to " prevail: whereupon I kiſs this figure " of the croſs, and theſe holy evange- " liſts, and ſo am ſilent."

And then the defendant took the like, things being come thus far, the marſhal again joined their right hands, and commanded the challenger to ſpeak theſe words to his adverſary.

" O thou, whom I hold by the right " hand, by the oaths that I have taken, " the cauſe for which I have appealed " thee,

" thee, is a good cauſe, and lawful for
" me to appeal thee, wherein this day I
" will combat thee. Thou haſt a bad
" cauſe, and no juſt quarrel to enter
" combat, or to defend thyſelf againſt
" me, and that thou knoweſt well;
" whereupon, I call God, our lady, and
" my lord Saint George, that good
" knight, to be my true witneſſes,
" falſe traitor, murderer, and perjured
" villain as thou art."

After this, the defendant made the ſame proteſtation, as the appellant did, taking him again by the hand.

" O thou, whom I hold by the right
" hand, by the oaths that I have taken,
" the cauſe wherein thou haſt appealed
" me, is falſe and wicked. Wherefore,
" I have a good and lawful reaſon to
" defend myſelf, and to combat againſt
" thee this day. For thou haſt a bad
" cauſe, and no quarrel to appeal me,
" and that thou knoweſt full well. And
" that this is true, I call God, our lady,
" and my lord Saint George, that re-
" nowned and worthy knight, to be my

"true witneſſes: falſe and wicked man "as thou art."

The liſts for theſe combats, generally contained a ſpace of forty paces in breadth, and fourſcore in length, wherein each combatant had a pavilion; that of the appellant being on the right hand of the judge: when the ceremonies preceeding the combat were finiſhed, the people being ſeated, and ſilence made, the herald cried three times, *Gentlemen do your duty*; upon which, the two combatants left their pavilions, which were immediately removed, and mounted their horſes, the counſellors likewiſe on both ſides departed, a bottle and a loaf being left to each of the combatants. The laſt ceremony before the action was, that the marſhal, after placing the combatants ſo as to give them an equal portion of the field, wind and ſun, called out three times, *engage*, and then threw down the glove, as a ſignal for the combat.

It ſeems that eccleſiaſticks themſelves, engaged in theſe ſingle combats, there being

being an article in the regiſters of a provincial council of Normandy, "The "prieſts ſhall not fight in combats, "without the permiſſion of their biſhops;" and many of the latter very readily permitted theſe combats, on account of fines and confiſcations ariſing from them. In certain caſes the challenger, or challenged, were allowed a proxy; as if the party was defective in ſome of his limbs, if his age exceeded threeſcore, if he had any chronical diſtemper on him, or was ſubject to dizzineſs in the head, or the falling-ſickneſs, and the like, or to an ague.

Theſe combats had been prohibited by ſeveral edicts of kings and emperors, but ſuch murders, and unbounded violences enſued, that they were permitted again under certain reſtrictions, but only in capital caſes; and that where the act was committed ſo cloſely as not to be proved by witneſſes or circumſtances, when a ſtrong ſuſpicion lay againſt the party called to combat; and, laſtly, *Quando conſtabat de cadavere*, when it was

evident, that the crime had been committed.

But the council of Trent fulminated theſe impious combats without any exception, or limitation; not only the champions themſelves, but all ſovereigns, or magiſtrates, permitting any ſuch combats, and even the ſpectators were excommunicated; ſuch trials being a moſt impious temptation of the providence of God, as unneceſſarily requiring a proof of the divine power, wiſdom, and decree; a manifeſt injuſtice, or at beſt miſplaced temerity; injuſtice, if there was not an exact equality in ſtrength, ſkill, and other circumſtances, betwixt the combatants, and ſuppoſing ſuch a parity, it was a miſplaced temerity, committing to chance a matter which was properly determinable only by impartial reaſon, or ſubjected to the cogniſance of the law. Thus the civil and eccleſiaſtical powers uniting their force, at length put an end to this ſavage way of maintaining honour; and the preſent nobility, in juſt courage, poſſibly not inferior

ferior to the ancient, conſider it as a culpable extremity.

Danæus in his *Ethica Chriſtiana*, after treating of them at large, cloſes them with this deciſion, "that he who in a "ſingle combat, though authorized by "the laws of the land, and fought in his "ſovereign's preſence, kills his adverſa-"ry, is guilty of murder; combats not "being a method of divine inſtitution "for deciding controverſies, but a "moſt flagrant breach of the chriſtian "religion, which no authority on earth "can annul or ſuperſede. Yet were "thoſe public combats in ſome reſpect "more juſtifiable, and more becoming "a man of honour, than the private "duels, of which, even in thoſe ſavage "times, we have little, or no account: "this execrable practice, ſeems to have "taken place after the ſuppreſſion of the "former; thus with revenge, and moſt "other paſſions, the laws may forbid "and puniſh, but cannot extinguiſh or "ſuppreſs."

On this depraved notion of honour, a foreign writer, eſteemed by his countrymen to have had as much wit as any man, thus excellently delivers himſelf, "The falſe principle which ſome men "ſet up in the place of conſcience, to "be their director in life, is, what thoſe "who pretend to it, call Honour. This "word is often made the ſanction of an "oath; it is reckoned a great commen-"dation to be a man of ſtrict honour; "and it is commonly underſtood, that "a man of honour can never be guilty "of a baſe action. This is uſually the "ſtyle of military men, of perſons with "titles, and of others who pretend to "birth and quality. It is true, indeed, "that in ancient times it was univerſally "underſtood, that honour was the re-"ward of virtue; but if ſuch honour as "is now a-days going, will not permit "a man to do a baſe action, it muſt "be allowed, there are very few ſuch "things as baſe actions in nature. No "man of honour, as that word is uſu-

"ally

"ally underſtood, did ever pretend, that "his honour obliged him to be chaſt, "or temperate, to pay his creditors; to "be uſeful to his country; to do good "to mankind; to endeavour to be wiſe "or learned; to regard his word, his "promiſe, or his oath; or if he hath "any of theſe virtues, they were never "learned in the catechiſm of honour; "which contains but two precepts, the "punctual payment of debts contracted "at play, and the right underſtanding "the ſeveral degrees of an affront, in "order to revenge it by the death of an "adverſary *.

Noblemen ſhould lead public lives.

The great honours and great offices of a ſtate, have generally been the reward of a diſtinguiſhed merit, and the anceſtors of the nobility having, *arte &*

* This Wit is no other than Swift, who was a declared enemy to duelliſts; he held their Cant of honour, (as he called it) in the utmoſt contempt, and when he heard that any perſon was killed in a duel, he aſked, what was become of the other, is not he killed too? If they told him he was not, he anſwered, I'm ſorry for it, thoſe quarrelſom wretches are the peſt of ſociety. The beſt thing they can do in this world, is to cut one anothers throats as faſt as they can.

marte,

marte, literis & armis, acquired that rank, their duty to their family calls for their application to excel in thoſe public qualities, which, as they laid the foundation of its grandeur, it reflects a glory round a nation, and adds conſiderably to its weight, when all the high ſtations are filled by a nobility equal to them, "happy the ſtate, (ſays a politician) "when the great and the wiſe, "have an equal ſhare in the adminiſ-"tration." I would have this diſtinction obliterated, great and able ſhould be ſynonimous terms; as the nobility imagining, a kind of merit infuſed into them by their birth, or that their birth itſelf is a claim, are apt to depreciate and moleſt an adminiſtration in which they have not a large ſhare, it is incumbent on them, from the great good which will reſult to the public from their abilities, to head armies, or direct councils; that they ſhould ſo cultivate their minds, as to be no leſs eſteemed for their perſonal qualities, than homaged for their rank and opulence. Murmurs and heart-

heart-burnings have no pretence when a worthy nobleman bears the command. An embaſſy is the peculiar province of a nobleman, his birth adds a luſtre to it, and renders it more acceptable, but how many talents are requiſite to the honourable diſcharge of it, a large compaſs of political knowlege, hiſtory, and languages, beſides the qualities of the mind, and heart, diſcretion, and ſpirit, a ſolid judgment, with a ready wit *.

Theſe

* Hiſtory mentions the following artifice of a foreign miniſter at the court of London, "In the "year 1625, the counteſs of Buckingham, mother "to the duke, at that time abſolute prime miniſ- "ter, ſent a meſſage to the ambaſſador of Savoy, "deſiring his conſent that ſome officers of juſtice, "might paſs through his houſe, and poſt them- "ſelves in his garden, in order thus to hinder the "eſcape of the counteſs of Purbeck, wife to her "youngeſt ſon, and who was to be ſecured by or- "der of the high commiſſion-court; the ambaſſa- "dor, jealous of his privileges, was with ſome "difficulty prevailed upon to allow it; but finding "the affair likely to be attended with ſome tumult "and other inconveniences, contrary to what had "been repreſented to him, he ordered one of his "pages to be dreſſed up like an Engliſh-lady, and "his coach in readineſs at the door, about noon "the ſham-lady came flying along where ſhe "knew

Theſe were what that politic prince Lewis XIth of France, looked for in his negociators, he ſeemed to take a delight to employ men of genius, without the leaſt regard to, or rather in contempt of birth, he made uſe of his ſurgeon to very good purpoſe, in ſeveral weighty negociations, and once diſguiſing even a groom in the habit of a herald, ſent him to the Engliſh camp, where he managed matters entirely to the king's ſatisfaction; part of the character of that prince is, that contrary to all others, who muſt have pomp and ſhow, he ſlighted externals, he was for negociating without noiſe or ceremony, that he might freely diſcourſe with all foreign miniſters; accordingly, they uſed to come to his

" knew ſhe ſhould be obſerved, and threw herſelf " into the coach, which immediately drove away " with the utmoſt ſpeed; the officers taking the " alarm, and not doubting but it was the vif- " counteſs, ſet out in purſuit of her; thus the am- " baſſador cleared his houſe of theſe unwelcome " gueſts, and amidſt the hurry of the people, " crowding after the diſguiſed page, the real vif- " counteſs made her eſcape: the duke of Bucking- " ham however, was ſo nettled at it, that for ſome " time he would not ſee the ambaſſador."

cham-

chamber-door, without any previous notice, and were immediately admitted; on the other hand, he little regarded the rank of miniſters ſent to him, the eſſential was their genius and parts; the duke of Milan's ambaſſador, the general title, at that time of all negociators, was only a merchant, but Lewis finding him a man of capacity, diſcourſed with him, on the renewal of an alliance, as freely as if he had been the duke himſelf; but adds the author, the parliament of England, (if the junto which aſſumed that name in the year 1647, may be ſtiled ſo,) was alone capable of imploying at the court of France for miniſter, a perſon who either then was or had been a muſick-maſter.

If ſuch has been the indolence of our nobility to improve the advantages of their birth, and anſwer the expectations of the public, as to juſtify the contempt with which Mr. Wicquefort ſpeaks of them, I hope their behaviour will for the future ſilence all ſuch obloquy as the following is big with, and which I read

with

with pain, "Though the nobility of an "ambaſſador gives luſtre to the em-"baſſy, it is inſignificant, or rather "heightens the ridicule, unleſs ſup-"ported by capacity and virtue; the "great houſes muſt, by no means, be "ſuppoſed to be neceſſarily productive "of the greateſt men; they are truly ſo "who make themſelves independent on "the fortune of their anceſtors, an em-"baſſy of mere ceremony, for marriage, "* or compliment, ſits beſt on a noble-"man; they are often bewildered in the "ſinuo-

* Henry Rich, baron of Kenſington, afterwards earl of Holland, was ſent in the year 1624, to the court of France, to make overtures for a marriage betwixt lady Henrietta and the prince of Wales. His meſſage was no ſooner known, than the count De Soiſſons, an admirer of the young princeſs, manifeſted his diſpleaſure, making mouths at my lord, and on all occaſions treating him with ſuch incivility, that concluding his character might ſuffer, and even his affair miſcarry by a longer patience, he complained to two lords of the count's intimates, but without any other ſatisfaction than that the count bore no perſonal ill will to him, but not reliſhing the affair which brought him to the French court, he thought himſelf at liberty to behave as he pleaſed; the Engliſh lord as the repreſentative of a young amorous prince, not to be wanting in gallantry, ſent the rival a challenge; the

"ſinuoſities of negociations; they ſeem "born only for complements; their ta- "lents and diſpoſitions are naturally of "no better caſt than thoſe of their in- "feriors, and very few can, or rather "endeavour to qualify themſelves for "thoſe poſts, which ſeem the append- "ages of their rank."

Though the intrinſic worth of a virtue be in all perſons equal, yet the qualities of a nobleman are of more importance to ſociety than thoſe of a farmer, according to the aphoriſm in war, "that "an army of ſheep, headed by a lion, is "more to be feared than an army of li-

the count, though a prince of the blood, accepted, but the affair taking wind was prevented, ——— This lady was afterwards, to his great misfortune, king Charles the firſt's queen.

On this head of qualifications, one of the wiſeſt of Engliſh writers, ſays, "It has ever been a ſur- "priſe to me, that our young nobility ſo little "ſtudy the art of ſpeaking; 'tis of all others the "moſt honourable, and in ſuch a government as "ours the moſt uſeful. In the Roman hiſtory we "ſcarce meet with any famous captain who was "not a good ſpeaker; or any orator who had not "ſerved ſome time in the army. It is known that "king William expreſſed his ſurpriſe to find ſo "little learning among the Engliſh nobility."

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"ons headed by a ſheep." So it is a common but true ſaying, "that learning in "a prince is gold, in a gentleman, ſilver; "in a plebeian, braſs." (yet by it the latter has often turned his braſs into gold.) Though learning has in itſelf charms which never fail to allure the ingenious mind, yet a conſiderable proficiency in uſeful literature, ſuch as is reducible to practice, ſeems an indiſpenſible duty to a nobleman, as without it he will be utterly incapable of ſerving his country, either in a civil or military capacity; beſides the emulation which hiſtory inſpires, our moſt celebrated generals have owned the benefit they have received from Xenophon and Ceſar.

Doctrina ſed vim promovet inſitam,
Rectique cultus pectora roborant.

And let me not be thought to debaſe the nobility, if I alſo recommend agriculture * to them; the Engliſh philoſopher whom

* I am always pleaſed, when I meet with any thing in a foreign book, to the praiſe of my countrymen; the Abbe Le Blanc, ſpeaks thus on the "taſte

whom I quoted on education, enumerating the ſeveral qualifications of a young gen-

taſte of the Engliſh for agriculture, "The Engliſh "are all gardeners more or leſs; the farmer in "eaſy circumſtances, and the rich citizen, equally "love planting; the nobility, and even many phi-"loſophers, make it their favourite occupation; "we muſt own to the honour of the Engliſh, that "many perſons of eminence among them, have "thought it worthy of their pens; Sir William "Temple has publiſhed a very curious treatiſe on "ancient, and modern gardening; Mr. Evelyn's "treatiſe on foreign trees, is an excellent book; "Doctor Hales's vegetable ſtatics, is admired by "all the natural philoſophers in Europe; not to "mention Mr. Mortimer's, and Mr. Bradley's "uſeful treatiſes; Mr. Millar's dictionary is like-"wiſe a very valuable work: The Engliſh import "all ſorts of trees from different parts of the "world; the ſame commerce which aſſembles men "of all nations upon the Royal Exchange at "London, ſtocks the Engliſh garden with trees of "all climates: The Engliſh in making this uſe of "their riches, ſeem to be much wiſer, than too "many among us, who ruin themſelves by chang-"ing their equipages every ſix months, and their "ſnuff-boxes every week. The cauſe of this "improvement of agriculture among the Engliſh, "may be, that perſons of rank and wealth, live "more in the country than our's do; and as the "quality ſet faſhions to their inferiors, ſo the far-"mer plants in imitation of his landlord; as the "latter has groves of laurels, linden-trees, and "phillyrea's, in his gardens; his farmer will at "leaſt have a little model of them in his. In our "villages, the farmers ſeldom plant any thing but

gentleman, would have them learn a manual trade; and this is no more than what the famous emperor Charles the Great did with his children. Agriculture is of ſuch mighty benefit, that an application to it, will amply ſupply the want of a more exalted capacity; agriculture is the moſt important part of natural philoſophy, and the nobleman who has

" apple-trees, and cabbage; the Engliſh farmer
" has not only a kitchen-garden well furniſhed,
" and kept in good order; but if there are a few
" yards of ground before his houſe, which belongs
" to him, he makes a flower-garden of it; where
" he cultivates the roſe and lilly of the valley.
" To the honour of the Royal Society at Lon-
" don, it muſt be acknowledged, that it is their
" care, their labours, and experiments, which have
" ſhewn the Engliſh, I may ſay all Europe, what
" a ſource of riches plantations may be; the Royal
" Society are the cauſe, that not only in England,
" but in Scotland, and Ireland; in Virginia, Ja-
" maica, Barbadoes, and all countries ſubject to
" the Engliſh, they plant woods, orchards, &c.
" and every body embelliſhes his eſtate by enrich-
" ing it. They have lately planted the tea-tree
" in Carolina, where it is ſaid to thrive very well.
" Let us do juſtice to ſo many illuſtrious learned
" men, who have acquired this ſociety ſo great a
" reputation all over Europe. 'Tis they have
" moſt enlightned the learned and civilized world,
" with regard to all the benefits ſociety may reap
" from the different branches of experimental
" philoſophy."

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ſucceſsfully applied himſelf to make improvements in it, is no leſs worthy his nation's eſteem, than he who fights their battles, or negociates for their intereſts; it is the depravity of mankind which brings ſuch talents into uſe, whereas his employment is founded on innocence, and is promotive of virtue. But if the nobleman, with his civil or military qualities, joins an attention to agriculture, the ſymetry of his conduct will be the more complete, thus improving both the honours, and eſtate of the family. Among the Romans, Cato the cenſor, wrote upon agriculture; Dioclesian the emperor, abdicated the empire to enjoy the ſweets of it, and when invited to return to the throne, he anſwered the deputies to this purpoſe.

If I, miſtaken friends, could to you ſhow,
All the pleaſures that in this garden grow,
Much rather would you wiſh here with me to ſtay,
Than urge me longer with you to go away;
For, truſt me not, my friends, if every day,

I walk not here with more delight,
Than ever after the moſt happy fight,
In triumph to the capitol I rode,
To thank the gods; and to be thought
myſelf almoſt a god.

With the great Cyrus, it was a mark of particular favour, to have acceſs to his little orchard, which he had planted and cultivated with his own hands.

The hiſtorical relations of China, mention a ceremony of opening the grounds, which the emperor, and ſeveral other Indian monarchs, perform every year: and the kings of the ancient Perſians, had an annual feaſt with the huſbandmen, at which they aſſiſted in all the ſimplicity of that calling.

Farther, the emperor of China is informed every year of the huſbandman who has diſtinguiſhed himſelf moſt in his profeſſion, and he makes him a mandarin of the eighth order.

Lewis, prince of Condé, who was never ſurpaſſed in true heroiſm, frequently made agriculture the amuſement of his leiſure; and, I myſelf, when in England,

ſaw

ſaw the earl of Peterborough, who had commanded the Britiſh forces, in his waiſtcoat and ſhovel in hand, and hard at work with his gardeners *.

An

* The following character of this extraordinary perſon, I take the freedom to borrow from the earl of Orrery's letters on dean Swift, "Lord Peterborough's wit is eaſy and unaffected. At the "time when he wrote thoſe two letters, he had "hung up his helmet, and his buckler, and was "retired to his plough, and his wheelbarrow, "wearied of courts, and diſguſted with ſtateſmen. "He had made a moſt conſiderable figure in his "day. His character was amiable and uncommon. His life was a continued ſeries of variety. "In his public and private conduct he differed "from moſt men. He had viſited all climates, "but had ſtaid in none. He was a citizen of the "world. He conquered and maintained armies "without money. His actions and expreſſions "were peculiar to himſelf. He was of a vivacity "ſuperior to all fatigue, and his courage was beyond any conception of danger. He verified, "in many inſtances, whatever has been ſaid of "romantic heroes. He ſeems to have been fixed "only in his friendſhips and moral principles.

Swift has happily expreſſed his military character in theſe four ſtanzas of a copy of verſes on him.

A ſkeleton in outward figure,
His meagre corps, though full of vigour,
Would halt behind him were it bigger.

So wonderful his expedition,
When you have not the leaſt ſuſpicion,
He's with you like an apparition.

Patronage of learning and arts.

An inclination to learning implies a favourable diſpoſition towards learned men, than which nothing more becomes a perſon of quality, and it ſhould extend to all in proportion to the utility of their profeſſions; an ingenious artiſan, if things be weighed in a due ſcale, is far from being beneath his countenance. I would not blame a nobleman for placing his chief encouragement on what is moſt relative to the poſt in which he ſerves his country; thus a miniſter of ſtate ſhould cheriſh men of ſenſe and letters; and never want them both for a rational entertainment and utility; he cannot over-pay, I will not ſay with penſions or benefits, but with condeſcenſion and familiarity the unknown ſervices they do him. What little tales do they not diſſipate? How many ſtories do they by their addreſſes expoſe as the fiction

Shines in all climates like a ſtar,
In ſenates bold, and fierce in war,
A land commander, and a tar.

Heroic actions early bred in,
Ne'er to be match'd in modern reading,
But by his name-ſake Charles of Sweden.

of

of malice? Cannot they juſtify miſcarriages by good intentions, and demonſtrate the good tendency of a deſign, and the juſtneſs of meaſures, by the proſperous iſſue? And in oppoſition to the cenſures of envy, to good enterprizes apply better motives; give a favourable turn to bad appearances, palliate defects, and exhibit only wiſdom, and patriotiſm, and theſe in the moſt ſtriking light: ſpread, on a thouſand occaſions, particulars which redound to their honour, and explode by argument or raillery, any thing intimated to their prejudice; theſe are prudential motives: but a nobleman, neglecting men of literature and uſeful talents, however worthily he may fill his poſt, has no true taſte of honour; and ſelfiſhneſs is the tainted ſource of his fair exterior.

Academical exerciſes.

The academical exerciſes are not only neceſſary to a graceful carriage, but a nobleman cannot neglect them without injury to his reputation, and ſometimes to his ſafety; I ſay, neglect them, concluding his parents, or guardians have

not omitted a branch of education, ſo conducive not only to the health, ſtrength, and gracefulneſs of his body, but to inſpire a courage, and thus qualify him to ſerve his country, to repel aſſaults, or reſcue the injured. The Romans, who are accounted models for the excellency of their cuſtoms and inſtitutions, had their *Campus Martius*, where the young noblemen practiſed all manner of feats of activity, learned the uſe of all ſorts of arms and weapons; likewiſe another admirable invention for martialiſing the noble youth, was the *Ludus Trojæ*, performed in the public *Circus*, by troops of boys in elegant habits, and with little arms and weapons. They were chiefly ſelected out of the moſt conſiderable families; and the captain of them had the honourable title of *Princeps Juventutis*. The firſt of theſe games was exhibited by Eneas, and is pompouſly deſcribed by Virgil in his fifth book; but I ſhall inſert only thoſe lines which immediately relate to the action.

Sig-

——Signum clamore paratis
Epytides longe dedit, inſonuitque flagello.
Olli diſcurrêre pares, atque agmina terni
Diductis ſolvêre choris: rurſuſque vocati
Convertêre vias, infeſtaque tela tulêre.
Inde alios ineunt curſus, alioſque recurſus,
Adverſis ſpatiis: alternoſque orbibus orbes
Impediunt, pugnæque cient ſimulacra ſub armis.
Et nunc terga fugâ nudant, nunc ſpicula vertunt
Infenſi, factâ pariter nunc pace feruntur.

It may be concluded from the moſt infamous debaſement any age, or nation affords, that dexterity at weapons was general among the Roman nobility; knights, noblemen and ſenators, turning public gladiators; ſome to keep themſelves from ſtarving, after ſquandering away their fortunes; and others to curry favour with the people and great men; though Auguſtus had forbid by edict, that any of the ſenatorian, or equeſtrian order ſhould take upon them that ſcandalous profeſſion; yet ſo ſoon after, as Ne-

Nero's time, we find 400 ſenators, and 600 knights, performing at one of the ſpectacles; a moſt flagitious abuſe of very noble accompliſhments.

Social virtues.

But it is not only genteel accompliſhments, an extenſive knowledge, and eminent abilities, by which the nobleman is to diſtinguiſh himſelf: I would have him no leſs an object of love, than of admiration; and who ever was ſo, without the milder virtues of juſtice the queen of them, temperance their baſis, and humanity, by which we feel the need of ſuccouring our fellow-creatures? Perſons of a good diſpoſition, are more ſenſible of their obligations of doing good, the leſs they themſelves feel the evils of life. Marcus Aurelius thanked the gods, "that he had always endeavoured to prevent the petitions of "the deſerving; the chief happineſs of "grandeur, ſaid he, is when others find "their fortune in ours. I cannot be "affected with a happineſs which no "one partakes of but myſelf." Unqueſtionably, the noble Meſſala, felt another

another kind of pleaſure than that of luxury, or oſtentation, on reading Tibullus's praiſes of his judicious generoſity in repairing a bad road: Its elegancy, and ſtrength, he tells him, are admired by all connoiſſeurs; and the poor villagers bringing their wares to market, "bleſs the man, that generous man, by "whoſe goodneſs they can night or day "follow their buſineſs with ſafety and "expedition." Only let the nobleman, who does not feel for his inferiors, lay to heart the ſad difference of their neighbourhood, from that of him who encourages the induſtrious, and relieves the helpleſs. A true nobleman, is not only a great captain, a ſagacious miniſter, no nor only a good father, but religion, that felicitating commerce betwixt God and man, claims his attention; in conſequence of which, he lives the darling of his country in condeſcenſion, affability, officiouſneſs, and benevolence; he is never beheld but with a glowing heart, whilſt fervent prayers aſcend for the increaſe of his honours, and the long

con-

continuance of his valuable life; in a word, ſuch is my idea of a nobleman, and it is the reſult of digeſted reflections on that ſtate to which providence raiſed my anceſtors, that expreſſion fails me, to ſet forth his guilt, his degeneracy, his baſeneſs, if his whole behaviour in the eye of the world, or under his roof, be not congenial to the radiancy of his titles, genuine emanations of the

Compoſitum jus faſque animi ſanctoſque receſſus
Mentis & incoctum generoſo pectus honeſto *.

CHAP.

* I am confident ſo warm an exhorter to virtue in the nobility as our author, would be enraptured at the encomium of the old earl of Pembroke, lord lieutenant of Ireland, in *the ſeries of letters to lord Orrery*, a work of which every ſentence will give exquiſite entertainment to a reader of taſte, and if a good man his pleaſure will be heightened; the words are, "The greateſt benefactor to "Ireland, the greateſt encourager of learning, "and greateſt example of true generoſity, and "chriſtian piety, that England hath exhibited "there; at leaſt within the compaſs of this cen-"tury. He made a progreſs through the king-"dom to learn its true condition, and beſides "many other inſtances of munificence, he left five "pounds

CHAP. VII.

How nobility is acquired.

Whether nobility be acquired only by virtue.

VIRTUE having been the proper origin, and eſſence of nobility, it is aſked whether virtue does not enoble in theſe times? The law of nature anſwers in the affirmative, nature knowing no other nobility, than in pre-eminence of virtue; and among moſt of the Aſiatic monarchies there is no other than that annexed to poſts, which are ſuppoſed to be its reward; but according to the law of nations, the higheſt virtue, in order to be conſidered as noble, muſt be inveſted with titles as its *inſignia*, and this external worth is eſtabliſhed and regulated by laws. The perſon of the moſt complete

" pounds to the poor of the pariſh wherever he " dined! and ten pounds wherever he lay! and I " am well aſſured beyond all poſſibility of doubt, " that he gave 2000*l.* in charity (in his progreſs " towards Ireland) between London and Holly-" head!"

virtue

virtue and wiſdom, in a political ſenſe, is not noble, though in a natural he be ſo in an eminent degree; his virtue and nobility gives him no more than a *jus quæſitum*, and with all his endowments, he is not to be accounted a nobleman unleſs of noble deſcent, or till he has obtained a patent: it has appeared not a little ridiculous to ſome, that a perſon, poſſeſſed of all the eſſentials of nobility, ſhall ſtill be ignoble, when another only by virtue of a writing ſhall be a real nobleman, though poſſibly void of all thoſe qualities on which that patent is declared to be grounded.

Whether nobility be acquired by riches.

No place, ſaid an experienced warrior, was impregnable, into which an aſs loaded with money could be conveyed.

Virtus, fama, decus, divina humanaque pulchris,
Divitiis parent, quas, qui conſtruxerit ille,
Clarus erit, fortis juſtus ſapiens etiam & rex
Et quidquid volet.

However, without dwelling on the abſolute power of money, it appears to me

me undeniable, that the man of wealth, from prudential motives ſhould be regarded in public diſtinctions; he being deeply intereſted in the tranquillity and welfare of the ſtate; and his riches may make ſome amends for any malverſation; and, generally ſpeaking, the offer muſt be large which prevails on a rich man to betray his truſt; whereas probity ſeldom holds out long under ſtreight circumſtances. Solon, though himſelf not infected with the love of wealth, directed in his ſyſtem, that all offices of importance ſhould be filled by the noble and opulent; and among the Romans ſo extolled for wiſdom, poſſeſſions to a certain value entitled a man to the equeſtrian rank; and alſo it was money that gained admiſſion to the ſenate. According to the ideas of the world, it is alſo a kind of diſgrace to the nobility to be ſurpaſſed in ſplendor by plebeians, conſequently, there is not the leaſt impropriety, if the character of the perſon be anſwerable, in raiſing

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a wealthy commoner to the nobility *, it is rather an increaſe of ſtrength, and ſplendor to the order, and likewiſe no ſmall incentive to extend commerce, for the accumulation of ſuch riches, a liberal uſe of which, pave the way to nobility; and both theſe are evidently of great public advantage. The illuſtrious families of Medicis, Doria, and Pallavicini, owe their nobility and grandeur to a diſtinguiſhed ſucceſs in commerce.

* A regard to wealth in point of promotion and honour, is of ſuch long ſtanding in this nation, that in an Anglo-Saxon law it is expreſsly pro- "vided, that if a cearl or huſbandman throve ſo "well, that he had fully five hides of his own "land, a chappel, and a kitchen, a houſe with a "tower, and battlements, and had an office in the "king's court, or had founded a priory, or hoſpi- "tal, that then he was entitled to the rights of a "thane:" that is, he had the privilege of ſitting in the Wittenagemot, or general aſſembly, he had greater reſpect and regard paid to him, and his life in the general eſtimation was valued at a higher price, being raiſed from 200 to 1200 ſhillings. And if afterwards this new created thane, by commendable means, made any conſiderable augmentation of his poſſeſſions he was raiſed to the dignity of an earl: likewiſe a merchant who had made three voyages on the ſea, and had thus acquired a competent fortune was made a thane.

I paſs over many German, French, and Engliſh families of mercantile origin.

Of nobility by patent.

The reaſons of a patent, are, either t he virtues or eminent ſervices of anceſtors, or the perſonal merits of him on whom the patent is conferred, and generally, both theſe never fail to be ſpecified, though poſſibly never heard of before. Theſe patents firſt came into uſe in the year 1400, in the reign of the emperor Winceſlaus, who in other reſpects makes but a very ſcandalous figure in the German annals; his evil example was copied, or rather improved on by Segiſmond, who from a principle, that the greatneſs of a prince conſiſted in his power, and this depended on the fulneſs of his coffers, among many other ways of filling them, granted pardons of crimes, and ſet nobility, even the higheſt titles, to ſale; this at firſt raiſed the choler of the ancient nobility, but intereſt ſoon cauſed it to ſubſide, and reconciled them to it, as among theſe upſtarts they met with very advantageous matches in reſpect of fortune, and not diſgraceful

by reaſon of the title, which, though purchaſed, was indiſputable.

Whether learning intitles to nobility.

Whatever conduces to the benefit of ſociety, has a claim to a proportionate recompence; on this is founded the great regard in all ages paid to an eminent warrior; his courage and martial accompliſhments being an impenetrable ſafeguard, againſt which the efforts of formidable enemies have miſcarried; but were mankind duly tempered, courage would ſink in its value. A ſkill in the ſeveral branches of laws is alſo highly eſteemed, as determining the ſeveral caſes of property, baffling the artifices of fraud, and directing the ſcale of juſtice; yet this talent alſo owes its great conſideration to the prevalence of depravity. And here let it be obſerved, that civilians were in ſuch eſteem among the Romans, that the proconſuls, and other provincial magiſtrates, carried ſeveral of that profeſſion with them into their provinces, as counſellors or aſſeſſors, and theſe were called *Comites*, that is, travelling companions to theſe magiſtrates, and by the Roman laws

laws were inveſted with ſeveral privileges; upon the goverment's becoming monarchical, the members of the emperor's council alſo bore the name of *comitatus*, and the more properly, as they uſually attended him in his journies; even the emperor's court was called *comitatus*, and *Comes* grew to be a general word, denoting ſeveral offices: Thus Juſtinian's code, mentions the *Comes ſacrarum largitionum*, the *Comes rerum privatarum comites Iſauriæ, Ægypti, &c.* This extenſion of *Comes* was doubtleſs what occaſioned a new word to be added to it, for more properly indicating the members of the emperor's privy council; they were called *Comites conſiſtoriani*, from *conſiſtorium*, the name of that council; and a kind of girdle was a mark of their dignity. The title of *Comes conſiſtrianus* was of ſuch honour, that the emperors ſometimes conferred it on other perſons than their counſellors, but with this reſtriction, that theſe honorary counts had neither the privileges nor the

girdle. No words are ſo far deflected from their primitive import as titles. But there are other ſciences which would flouriſh amidſt an univerſal virtue, and are likewiſe of the higheſt uſe to ſociety, as the mathematicks, phyſick, hiſtory, and others; and as an excellence therein requires an intenſe application, and conſtitutes a valuable member of ſociety, ſo are the gates of the temple of honour by no means to be ſhut againſt them; accordingly, we have with pleaſure ſeen Leibnitz, Wolf, and Haller ennobled; the king of Denmark rewarded Mr. Holberg's hiſtory of that country with the title of baron; the king of Pruſſia, has likewiſe diſtinguiſhed Mr. Voltaire by very honourable favours; but Lewis the fourteenth, in my judgment, did not conſult the honour of nobility in raiſing to it Moliere, the celebrated comedian; his wit and good qualities recommended him to the eſteem of all, but his profeſſion was a bar againſt any higher diſtinction, to en-

ennoble a player is a ſoleciſm in *decorum* *; but what will appear ſtill more extraordinary, Richard the firſt king of England, a prince of a very high ſpirit, and of a bravery bordering upon ferocity, made his cupbearer king of Cyprus †.

CHAP.

* Knighthood (but what is knighthood?) has been conferred in England on painters, as appears from four foreigners, and one Engliſhman, Sir Peter Paul Rubens, Sir Anthony Vandycke, Sir Peter Lely, Sir Godfrey Kneller, the Engliſhman was Sir James Thornhill.

† The king of Cyprus had been wanting in common humanity to ſome of Richard's attendants in his expedition to the Holy Land, whom a ſtorm had obliged to put in there; upon which, Richard made himſelf maſter of the iſland; the perſon whom he nominated king of his new conqueſt was Guy de Luſignan; as to his being the king's cupbearer, this was no diſgrace to his majeſty, for beſides the inconſiderableneſs of his monarchy, the king's cupbearer may be ſuppoſed a perſon of great dignity, as the ancient hiſtorian Simeon of Durham, beſtows that ſtyle on an office which now a-days no man of ſubſtance or character would accept of; ſpeaking of the perſons ſent by king Hardiknute to take up the buried body of Harold his predeceſſor, he ſays, *Alfricum Eboracenſem archiepiſcopum, Godwinum comitem, ſtyr majorem domus, Edricum diſpenſatorem Troud ſuum* carnificem *et alios* magnæ dignitatis viros *Londoniam miſit*. Alexander the great, did not think Abdalomine to have for-

CHAP. VIII.

How nobility becomes forfeited.

Nobilitas hominis, eſt mens deitatis imago.
Nobilitas hominis, virtutum clara propago.
Nobilitas hominis, humilem relevare jacentem.
Nobilitas hominis, mentem frenare furentem.
Nobilitas hominis, niſi turpia nulla timere.
Nobilitas hominis, naturæ jure tenere.

ACCORDING to this explicit definition, he who habitually tranſgreſſes any of thoſe articles forfeits his moral

feited his nobility by being a gardener, and accordingly made him king of Sidon the ſeat of his anceſtors. Nehemiah, one of the fineſt characters of the whole bible, was cupbearer to Artaxerxes, and at the firſt word, obtained a very important requeſt from him, ſo as to become the reſtorer of Jeruſalem, and the chief of the Jewiſh people; but if I may be allowed to expatiate further on the dignity of this office, it appears from the remarkable trial betwixt one Sharnburn, and William de Albany, and William de Warren, the firſt, cupbearer, and the latter, forreſter to William the conqueror. Theſe two Normans had got a grant of Sharn-

moral nobility; but the moſt crying offence againſt civil nobility, a guilt never to be expiated, is cowardiſe, or breach of duty; accordingly the moſt ignominious puniſhments have been aſſigned to it, as offending againſt that virtue, which was the primordial fountain of nobility: thus the ancient Germans and Gauls, not only deprived a coward of all honours, but, to expreſs the turpitude of his crime, drowned him in ſome loathſom ditch, or quagmire. *Ignavos, imbelles, & torpore infames cæno, ac palude, injecta deſuper crate mergunt*, ſays Tacitus in his Germania;

Sharnburn's lands, and actually taken poſſeſſion of them. He immediately repreſented to William, that he had never been in arms againſt him, or at any time abetted his enemies; this, upon examination being found true, the conqueror ordered, that not only Sharnburn, but all the Engliſh who had ſhewn the like peaceableneſs and ſubmiſſion, ſhould remain in the quiet poſſeſſion of their properties; and a writ to this purpoſe was ſent to the cupbearer and forreſter; but they refuſed to comply with it in its full extent, and all they could be brought to, was to give up ſome parcels of the land. A firmneſs which ſhews them to have been perſons of conſequence, and likewiſe is a ſtrong evidence, that they acted from ſome prior ſtipulation, on which they had raiſed forces for the expedition.

and among the Romans they were likewiſe denied burial, their arms and ſtatues were likewiſe beaten into ſmall pieces, as Suetonius ſays, in the life of Domitian, *Senatus ſcalas adferri, clypeoſque & imagines eorum detrahi & effigi ſolo jubet.* But to deſcend to later times, Franget, governor of Fontarabia, in the year 1580, being found guilty of not having made a proper defence of the place againſt the Spaniards, was brought upon a ſcaffold, and there ſtripped of the ſeveral parts of his armour, his ſhield, emblazoned with his coat of arms, placed upon a poſt, reverſed, and afterwards broke to pieces by a king at arms, a heraldring out three times, "This was "the ſhield of the cowardly traitor "Franget," his horſe's tail being cut off was thrown on a dunghill, he was degraded of nobility, and all his poſterity declared villains, and for ever after incapable of bearing arms; the ceremony concluded with dragging him by the feet down from the ſcaffold, his life being ſaved in regard to his great age.

But

But the ceremony of degradation among the French, as ſet down in Favin's *Theatre de l'honeur*, was too ſolemn to be omitted here, as from thence may be inferred their high idea of nobility. "Two Scaffolds were erected, one for "the knights and judges, another ſome-"thing higher for the kings at arms, "heralds, and purſuivants, ſix prieſts "ſitting at each end of it, and the con-"demned knight ſtanding in the centre "armed cap-a-pee. After proclamation "made, the prieſts ſang the pſalms for "the dead, and at the end of each, the "heralds took off a piece of the knight's "armour, beginning with the helmet, "and at the ſame time declaring his "name and crime; his ſhield after being "reverſed three times, was broke to "pieces by the heralds. After the laſt "mortuary pſalm, the prieſts ſtanding "round the condemned knight with "their hands on his head, ſang the cixth "pſalm, being the imprecatory pſalm; "then the herald proclaiming, that the "man here preſent had been by fair

"trial

" trial adjudged unworthy to bear the " name of a knight, and to be degraded " of all nobility, poured a baſon of " water on his head. After this the " knight's judges roſe, and proceeded " in mourning robes to the neareſt " church; after them followed the de- " graded perſon, but did not come from " the ſcaffold by a ladder or ſtairs, be- " ing let down by a cord and laid upon " a dirty wheel-barrow, and thus drove " along to the church, where, after the " funeral office, he was delivered up to " the hangman, either for execution or " baniſhment, according to the king's " pleaſure: The ceremony concluded " with a public proclamation, that the " children and deſcendants of the de- " graded knight are ignoble, and pea- " ſants, uncapable of bearing arms, or " of appearing at juſts, tournaments, the " courts, and meeting of kings, lords, " and gentlemen, on pain of being " whipt *.

" It

* Selden's *titles of honour*, affords the two following inſtances of Engliſh degradations, taken from an ancient writer: ' Sir

" It was not only cowardiſe which " was publiſhed with ſuch an ignomini-

" ous

' Sir Andrew Harkley made Earl of Carliel, by ' Edward II. and ſoon turning traytor, The King ' ſent his Commiſſion to Sir Anthony Lucy a ' Knight of that Countrie, to arraign him. The ' acts and words of Sir Anthony in this buſineſs, ' the rather becauſe the degradation from another ' Dignitie is included in them, out of an old Eng- ' liſh Chronicle (Y Fruct. Temp. Caxton MS.) I ' thus ſubſcribe to you. The ſame Andrew was ' take at Cardoill (Carleill) and lede unto the ' Barre in manner of an Erl worthyly arrayede, ' and with a ſwerd gert aboute him, and hoſed ' and ſpored. Tho ſpake " Sir Anthonie in this " mannere. Sir Andrew quoth he, the king dede " unto you much honor and made you Erle of " Cardoill, and thou, as a traytor unto the Lorde " the king, laddeſt his people of this Countrie, that " ſhould have holp him at the battaille of Beigh- " land, away by the Countrie of Copeland, and " through the Erldome of Lancaſter. Wherfore " our Lorde the kinge was ſcomfited there of the " Scottis through thi treſoun and falſenes, and if " thou haddeſt come betymes, he had hed the " Maiſtrye. And all that treſoun thou dedeſt for " ſomme of Gold and Silver, that thou underfeng " of James Duglas a Scotte, the kinges enemie. " And our Lord the king is will is that the order " of knighthode, by the which thou underfeng " all in honor and in wurſhipe, oppon thi body, " ben all brought unto nought, and thi ſtate un- " don that other knights of lower degree, now " after the be ware, the which Lorde hath the " avanced hugely in diverſe Countrees of Eng- " land: and all now take enſample by the, here

" Lorde

" ous degradation, but every flagrant " act of baſeneſs, injuſtice, or violence; " a

" Lorde afterward to ſerve." ' Tho commanded ' he a knave anoon to hewe of his ſpores of his ' heles, And after he lete breke the ſwerd over his ' heed, the which the kinge him gave to keepe ' and defende his land therwith when he made ' him Erl of Cardoill. And after he lete him un- ' clothe of his Furred Taberd, and his hoode, and ' of his furred Cotys, and of his gyrdell, and when ' this was done Sir Anthonie ſaid him; Andrew, ' quoth he, " now art thou no knight, but a " knave:" And ſo gave Judgment on him that ' hee ſhould be drawn, hang'd and quarter'd, and ' his head ſet on London Bridge, which was exe- ' cuted.

' Some difference is in that of Sir Ralph Grey ' condemned of Treaſon by the Earle of Worceſter ' high conſtable of England; under Edward IV. ' at Doncaſter. The preamble of the Judgment ' was thus: " Sir Ralph Grey, for thy treaſon, the " King had ordained that thou ſhouldeſt have had " thy ſpurs ſtricken of by the heels, by the hand " of the Maſter Cooke who is here readie to do " as was promiſed thee, at the time that hee took " off thy ſpurs, and ſaid to thee as is accuſtomed, " that and thou be not true to the Soveraigne " Lord, hee ſhall ſmite off thy ſpurs with his " Knife hard by the heeles;" and ſo ſhewed him ' the Maſter Cook readie to do his office with his ' weapon and his knife.

' Moreover, Sir Ralph Grey, the King had ' ordeind, here thou mayeſt ſee, the Kinges of ' Armes, which they ſhould tear off thy bodie ' and ſo ſhouldſt thou as well be degraded of thy ' Worſhip, Nobleſſe and Armes, as of thy order ' of

" a particular inſtance of which we have " in the life of Frederick Barbaroſo, that " Harman, count palatine, being toge- " ther with ten inferior nobles, convicted " of burning and pillaging fields and " graneries, from a private malicious " grudge, as an aggravation of the in- " famy of their puniſhment, they were " led about the country, each of them " carrying a dog upon their ſhoulders."

Particular ſocieties from a regard to the purity of honour, have likewiſe expelled, with the ſevereſt marks of indignation, members who had been guilty of any ſcandalous miſbehaviour; thus Claude de Chanureaux, a counſellor of the parliament of Paris, in the year 1456, having been convicted of making a falſe inſtrument, it was ordered that he ſhould receive his ſentence kneeling and bare-

' of Knighthood. Alſo here is another Coate of ' thine Armes reverſed, the which thou ſhouldeſt ' have worne on thy body, going to thy death- ' wards; for that belongeth to thee after the law. ' Notwithſtanding, the diſgrading of Knighthood, ' and of thine Armes, and Nobleſſe, the King ' pardoneth that, for thy noble grandfather who ' ſuffered trouble for the king's moſt noble prede- ' ceſſors.'

headed,

headed, after which he was publickly ſtript of his ſcarlet gown, and other *inſignia* of his office, and brought with his head and feet bare to the preſident, before whom he was to acknowledge the heinouſneſs of his crime, and the juſtice of his ſentence, then he was delivered up to the hangman who led him in that ignominious condition to the pillory, and after walking him three times round it, burnt him in the forehead with the mark of a flower de luce, from thence he was led to one of the city gates as baniſhed out of the kingdom.

Hereſy. Forfeiture of nobility was alſo incurred on ſeveral other accounts, as by hereſy, it being accounted a moſt impious violation of that article of the oath taken by knights and noblemen, "to defend "*God's holy truth*," and likewiſe highly improper, that he who was excommunicated from that ſuperlative honour of being a member of the chriſtian church, ſhould be permitted to appear among the princes of the earth; and though an object of the divine anger, and the deteſtation

teſtation of all good men, ſhould be entitled to reſpect, and remain in poſſeſſion of many important privileges; this ordinance however, took its riſe from the eccleſiaſtics.

Monachiſm

Nobility likewiſe became forfeited by monachiſm, not ſo much from any contempt of that ſtate, as from the apparent incompatibility of faſtuous titles, with a profeſſion, the chief article of which, was a renunciation of all the pleaſures, pomps, and grandeurs of this tranſitory life; thus the famous Charles the fifth, upon his retirement into the monaſtery, would be called only by the name of Brother Charles *, a point which, notwith-

* Hiſtorians mention a pleaſant paſſage relating to this imperial monk; it was the cuſtom of this monaſtery for every brother to be the weekly *wakener* by turns, the emperor, amidſt other relaxations from their inſtitutes, perceived that they were alſo very remiſs in calling up the fraternity to mattins, but he himſelf was particularly ſtrict therein; one morning thundring at the door of a young ſanguine monk who lay in a ſound ſleep, and he nettled at this unuſual interruption, and concluding who the diſturber was, called out, "after diſturbing all the world as emperor, muſt "you turn brother Charles, to diſturb us likewiſe;"

Charles

withſtanding the ſuperb epithets aſſumed by eccleſiaſtics, likewiſe is implied in their ſacred vocation, for pope Boniface VIII. ſtiling himſelf *dominus totius mundi, tam in temporalibus quam in ſpiritualibus*; Philip the handſom, king of France, ſmartly reproved his arrogance in a ſhort epiſtle, beginning thus, *Sciat tua maxima fatuitas, nos in temporalibus alicui non ſubeſſe* *.

High treaſon. This is a crime, to which, as affecting the public welfare, all nations have aſſigned the ſevereſt puniſhments, and even extending them to the innocent iſſue, and unborn poſterity of the offender; degradation from honours, confiſcation of poſſeſſions, and loſs of life.

Charles uſed frequently to entertain his viſitors with this ſtory, and ſo far from being offended at it, that he took the monk into particular intimacy.

* It was accounted an exceſſive pride in Leuderic, biſhop of Bremen, about the year 840, that he ſtiled himſelf *cuſtos*, and ſometimes *paſtor Bremenſis eccleſiæ*. Whereupon, ſays Crantzius, *Vide temporum ſimplicitatem, quod non paterentur paſtoris vocabulum.* "*Quid facerent, ſi ritum noſtræ ætatis* "*ambitioſum cernerent ubi ex ore epiſcopi inſonare au-* "*dirent, noſtra gratia, noſtra pontificalis dignitas,*" *& reliqua his etiam glorioſiora.*

three

cles, of which only two at moſt are incurred by any crime of a private nature, however atrocious in its circumſtances; but high treaſon, and hereſy, are both of an equivocal fluctuating nature, depending on times and countries, and as many wiſe exemplary divines, have in all countries been burned at a ſtake as heretics, ſo has the blood of many worthy patriots, and brave ſpirited noblemen been ſhed on a ſcaffold, as traitors *. Let it withal be obſerved, that the civil law oppoſes this puniſhment of poſterity, ſaying, *Jura ſanguinis nullo civili modo dirimi poſſunt nam quæ non a patre ſed a genere tribuuntur ea manent poſteris incolumia.*

Poverty, or a mean calling.

It ſtill remains a matter of diſpute, whether nobility be forfeited by poverty, which according to the cuſtoms of the world, cannot uphold the ſplendor of that ſtate; Baldus ſays, *Paupertas autem non reddit vilem ſed origo et mali mo-*

* Treaſon, its ſaid, ne'er thrives, and what's the reaſon?
Becauſe, if it thrives, who dares call it treaſon?
Overbury.

res †. Tiraquell *de nobilitat.* maintains that nobility being nothing but a certain rank of honour, it is totally eclipſed by poverty, till the ſun of affluence again irradiates it with its ſplendid beams; whilſt others hold, that it is not the poverty which is to be abſtractedly conſidered, but the cauſes of it; thus a perſon who has drawn poverty upon himſelf by his vices, forfeits his nobility; but if his poverty was occaſioned by either the calamities of war, or any indifferent cauſe, nobility is not in the leaſt affected thereby; to this I muſt add, that poverty ariſing from the exertion of a ſingular love of one's country, or the unſucceſsful proſecution of ſome deſign of public advantage, ſuch a poverty is rather an ornament to a family, (though few have an eye to diſcern it) but a reproach both to the imprudence and ingratitude in the prince or ſtate,

† To this may be added, the opinion of the celebrated civilian, Math. de Affel, c. 1. col. 6. *De nuptiis inceſt, abſit* ſays he, *ut cenſeamus ſemper majorum ſplendorem premente paupertate obſcurari: poteſt enim eſſe homo & nobilis et pauper.*

who

who ſhould not only relieve, but promote him; that none may be ſufferers from ſo uſeful a principle as public ſpiritedneſs: As to any mechanic trade or ſervice, all civilians are unanimous on the incompatibility of theſe ſtations with the dignity of a nobleman; it becomes utterly extinguiſhed by them, but the moſt ſolid, and I am ſure the moſt humane civilians, hold, that poſterity is not involved in this debaſement; particularly, Faber expreſſes himſelf very ſtrongly on this head, whoſe ſenſe, that I may not wrong, I ſhall give in his own words, *Qui nobilitatem habet ab avis & proavis, non idcirco eam amittit, quod patrem habuerit, qui mechanicas forte & obſcuras artes exercuit; abſurdum enim ſit, a patre ſolo auferri filio, quod non a ſolo patre filius habet: nec quod eo ipſo tempore conceptus filius fuit, quo pater eam nobilitatem amiſerat, ad rem pertinebit: nam quod dici ſolet per medium, quod vocant inhabile impediri extremorum conjunctionem, ad hunc caſum non pertinet, in quo fieri non poteſt, quin avi nobilitas, per patrem, quantumvis*

ignobilem, in nepote cum vita tranſmittatur. Quidni vero cum is ipſe qui mechanicas artes exercuit, ſi ab antiqua proſapia nobilis fuerit, ſola deſinentia recuperet nobilitatem, neque ulla indigeat rehabilitatione; qua procul dubio indigeret, qui ex privilegio & ſola principis conceſſione primus ſibi ſuiſque nobilitatem quæſtviſſet.——Quod pater meus, qui nobilitatem a genere habebat, eam amiſerit per actus mechanicos, non debet mihi nocere, licet natus ſim eo tempore, quo jam amiſſa erat nobilitas: neque mirum, quia etiam is ipſe qui amiſiſſet nobilitatem avitam, recuperaret eam per ſolam deſiſtentiam, quæ ſaltem tum evenit cum is moritur: cur ergo mihi nocebit, quod ei, ſi hodie viveret, non noceret? non idem eſt, ſi pater meus nobilitatem habuit duntaxat ex privilegio; amittendo enim privilegium & ſibi noceret & poſteris; niſi proponas nobilitatem a principe datam ei & ejus poſteris; tunc enim factum patris nocere filiis non deberet.

Marriage. A nobleman under-marrying himſelf does not indeed forfeit his nobility, but the iſſue of ſuch a marriage are not conſidered on a level with thoſe who are noble

noble on both ſides, yet is this blot entirely wiped away, by the ſon's marrying ſuitably to his rank; on the other hand, a woman miſ-matching herſelf, unleſs otherwiſe ordered by ſome peculiar grant, degrades herſelf from nobility, at leaſt it is totally loſt as to her children *.

Laſt-

* If a woman be noble by birth, or by deſcent, with whomſoever ſhe doth marry, though he be under her degree, yet ſhe doth remain for her birthright, *eſt character indelebilis*, Coke, 4. part 118. C. 6. part 536.

Other women are ennobled by marriage, and the text ſaith thus, *viz.* "Women with the honour of "their huſbands, and with the kindred of their "huſbands, we worſhip them; in the court we "decree matters to paſs in the name of their huſ-"bands, and into the houſe and ſurname of their "huſbands we do tranſlate them; but if afterwards "a woman do marry with a man of baſer degree "then loſeth ſhe her former dignity, and follow-"eth the condition of her latter huſband; Forteſcue *de laudibus legum, Angl.* 100. And as concerning the ſecond diſparaged marriage, as aforeſaid, many other books of the law do agree, for theſe be rules received in thoſe caſes, *Si mulier nobilis nupſerit ignobili, deſit eſſe nobilis & eadem modo quo quidem conſtituar diſſolvitur*, Coke 6. part 53. B. and 4. part 118.

It was the caſe of Ralph Hayward, Eſq; who took to his wife Anne, the widow of the lord Powes; they brought an action againſt the duke

Laſtly, a perſon ennobled only by office, a depravation from that office alſo puts an end to his nobility †.

I conclude with the problem ſo often diſcuſſed, Who is the more valuable man, he who has worthily ennobled himſelf, or he who irreproachably maintains his anceſtrial dignity? and here I think nothing can be better ſaid, than what the noble Oſorio has delivered on this head, "having thus confuted the "inſolent folly of thoſe, who themſelves

of Suffolk, by the name of Ralph Hayward, Eſq; and the lady Anne Powes his wife; an exception was taken for miſnaming her, becauſe ſhe ought to be named by the huſband's name, and not otherwiſe, and the exception was by the court allowed; for ſaid they, by the law of God ſhe is *ſub poteſtate viri*, and by our law her name of dignity ſhall be changed according to the degree of her huſband, notwithſtanding the curteſies of the ladies of honour and the court, Dyer, 89.

And the like was alſo in queen Mary's reign, when the dutcheſs of Suffolk took to her huſband, Adrian Stoakes, Prob. 4, 5, 6. and many other precedents have been of latter time, and herewith agreeth the civil law punctually, Digeſt. *lib.* 1. *tit.* 9. *lege.* 8. *Eadem dignitate, lib.* 1, 2. *lege.* 2.

†. If a man be an Eſquire, or gentleman only by office, and loſe his office, he then doth loſe his gentry alſo, 26 H. VI. Eſtopell 47.

"vices,

"polluted with the moſt ſcandalous "vices, decry with imprecations, thoſe "who by an eminent wiſdom and virtue "have emerged from their native ob- "ſcurity *, I ſhall beſtow a few words "on that queſtion, Who are moſt inti- "tled to the public eſteem, they who "without the incentive of the example "of their anceſtors, have made their "way to the temple of honour, or they "who maintain their anceſtrial dignity "in ſpotleſs luſtre? this is a queſtion not "eaſily determined, nor can it be the "ſelf-ennobling perſon, if an affectation "of ſuperiority be conſiſtent with ſuch "a character, may alledge, I, deſtitute "of every domeſtic help, animated by "no model or inſtruction of my living "parents, or the celebrity of my fore-

* Pope Sixtus Quintus, uſed to make a jeſt of his mean birth, ſaying, "that he was *domo natus "perilluſtri*, the houſe or cottage where he was "born being ſo out of repair, that the ſun ſhone "through every part of it. *Cicarella in vit. pontific.*

But Cicero with more gravity, ſays, *Satius eſt me mihi geſtis florere, quam majorum auctoritatibus inniti, et ita vivere ut ſim poſteris meis nobilitatis initium & virtutis exemplum.*

" fathers, dared to ſtretch my flight be-
" yond my neſt. The honours I enjoy
" are from the latent grain to the ri-
" pened full ear, a harveſt of my own
" toilſom culture, and by the radiancy
" of my talents and ſervices, I have diſ-
" pelled the obſcurity in which my fa-
" mily lay involved, I have initiated my
" deſcendents into nobility, and leave
" them a patern of virtue for their
" imitation; but you, the iſſue of a noble
" family, was born amidſt every help to
" glory, a regular education, the exam-
" ple, and the inſtructions of your pa-
" rents, their rank and poſts, the fame
" of your anceſtors, and, laſtly, the ex-
" pectation of the public; circumſtances,
" which laid you under a neceſſity of
" diſtinguiſhing yourſelf by mental ac-
" compliſhments, and aſſiſted you in the
" attainment of them; nor is the repu-
" tation, which you have acquired by
" them, equal to the infamy which
" would have attended the neglect of
" them; thus, whatever is praiſe-worthy
" in you, all your glorious actions, are

" as

"as it were neceſſary, you could not
"have acted otherwiſe, whereas I,
"without reproach, might have ſat
"down in the tranquillity of my native
"meanneſs; eſpecially labouring under
"every inconvenience, and without a
"ſingle ray of that plenitude of light
"which incircled your birth. Under
"no manner of compulſion, but
"prompted only by a love of virtue,
"and an honeſt propenſity, to caſt
"in my mite into ſociety, I applied
"myſelf to the uſeful ſciences; ſtrug-
"gling through difficulties, and en-
"countring that envy, which is ſo in-
"duſtrious to cruſh the efforts of mean-
"neſs, I have attained even beyond my
"views; thus I ſee no manner of reaſon
"why I ſhould give the ſtep to one of
"hereditary nobility. The nobleman, on
"the other hand, anſwers, how! do you
"pretend to diſſeize me of that glory
"confirmed to me by a ſucceſſion of
"ſome centuries; the glory of my
"anceſtors belongs to me no leſs than
"the lands and houſes which I enjoy as
"lawful

"lawful heir; the inheritance of this "glory likewiſe has from time to time "received many conſiderable augmen- "tations before it devolved to me, for "according to my eſtimate, every office "which my anceſtors worthily diſ- "charged, every great and good action "of theirs increaſed that dignity which "I inherit from them, thus I may lay "claim to all the reputation of my an- "ceſtors, eſpecially as I have trod in "their ſteps, that I might maintain it "entire and untainted, by my perſonal "imitation of them; you argue from "family glory, that nobility is neceſſa- "rily recited to virtue; I would it were "ſo, but too many inſtances evince the "contrary, and as to education, have "you forgot the ſaying of Cyrus, that "the children of great perſons were "rightly inſtructed in nothing but rid- "ing; the horſe ſoon making them ſen- "ſible of their errors, whereas merce- "nary maſters ſeldom uſe ſuch honeſt "freedoms; call to mind alſo the "temptation of riches, the ſoftneſs in

"which

" which we are bred up *, and the " adulation of our attendance, ſo that " an

" * A wiſe man, ſays Dr. Swift, who doth not " aſſiſt with his counſels; a great man, with his " protection; a rich man, with his bounty and " charity; and a poor man, with his labour; are " perfect nuſances in a commonwealth. Neither " is any condition of life more honourable in the " ſight of God than another; otherwiſe he would " be a reſpector of perſons, which he aſſure thus " he is not: For he hath propoſed the ſame ſalva- " tion to all men, and hath only placed them in " different ways or ſtations to work it out.—Princes " are born with no more advantages of ſtrength, " or wiſdom, than other men; and, by an unhappy " education, are uſually more defective in both " than thouſands of their ſubjects. From fre- " quently reflecting (continues this nervous writer) " upon the courſe and method of educating youth " in this and a neighbouring kingdom, with the " general ſucceſs and conſequence thereof, I am " come to this determination, that education is " always the worſe in proportion to the wealth " and grandeur of the parents; nor do I doubt in " the leaſt, that if the whole world were now un- " der the dominion of one monarch (provided I " might be allowed to chuſe where he ſhould fix " the ſeat of his empire) the only ſon and heir of " that monarch would be the worſt educated mor- " tal that ever was born ſince the creation; and, " I doubt, the ſame proportion will hold through " all degrees and titles, from an emperor down to " the common gentry. I would aſk again, how " it hath happened, that in a nation plentifully " abounding with nobility, ſo great a ſhare in the " moſt competent parts of publick management, " hath

" an impartial eye muſt diſcern a bril-
" lancy in my glory which is wanting
" in yours; theſe, and many more ar-
" guments which might be alledged on
" either ſide, leave it undeterminable
" on which ſide the ſcale preponderates.
" If virtue be weighed abſtractedly, that
" of him who firſt diſengages himſelf
" from the impediments of obſcurity,
" and by dint of his own merit attains
" to eminence, is entitled to the prefe-
" rence; but if the deceaſed are to be
" regarded, and the reputation of thoſe

" hath been for ſo long a period chiefly entruſted
" to commoners, unleſs ſome omiſſions or defects
" of the higheſt import may be charged upon
" thoſe, to whom the care of educating our noble
" youth had been committed? For, if there be any
" difference between human creatures in the point
" of natural parts, as we uſually call them, it
" ſhould ſeem, that the advantage lies on the ſide
" of children, born from noble and wealthy pa-
" rents; the ſame traditional ſloth and luxury
" which render their bodies weak and effeminate,
" perhaps refining and giving a freer motion to
" the ſpirits, beyond what can be expected from
" the groſs, robuſt iſſue of meaner mortals. And
" to this the peculiar advantages, which all young
" noblemen poſſeſs by the privileges of their
" birth, ſuch as a free acceſs to courts, and a
" univerſal deference paid to their perſons.

" who

" who have done diſtinguiſhed ſervice
" to their country, is to be held in
" veneration and preſerved by monu-
" ments of honour, they who in imita-
" tion of their worthy anceſtors, apply
" themſelves to the purſuit of glory,
" will carry the cauſe, as not only their
" own perſonal endeavours, but likewiſe
" the merits of their anceſtors come in
" to account; I leave every one to the
" gratulations of his own ſentiments; it
" is enough for me to have ſhewn, what
" poſſibly is of itſelf ſufficiently clear,
" that virtue is the primordial fountain
" from whence are deriv'd the ſplendor
" of titles, and preeminence of extrac-
" tion; and that as in nobility virtue
" ſhines in its moſt advantageous point
" of light, ſo vice appears in its fouleſt
" turpitude, and is withal more expoſed
" to the public contempt and deteſta-
" tion *."

* *Incipit ipſorum contra te ſtare parentum nobilitas, clarumque facem præferre pudendis, omne animi vitium tanto conſpectius in te crimen habet, quanto major qui peccat habetur.*

FINIS.

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